



Crl.O.P.No.23246 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23246 of 2025

1. Kamalakannan,
2. Sivanandam,
3. Vasanthi.

... Petitioners/1st petitioner A1
2nd & 3rd petitioners rank not known

Vs.

State Rep. by,
The Station House Officer,
Thirukanur Police Station,
Puducherry.
(Crime No.109 of 2025)

...Complainant/Respondent

Prayer: Criminal Original Petition filed under Section 482 of *Bharatiya Nagarik Suraksha Sanhita*, 2023, pleased to enlarge the petitioners on bail in the event of his arrest by the respondent police concerned in Crime No.109 of 2025 on the file of the Station House Officer, Thirukanur Police Station, Puducherry.

For Petitioners : Mr.A.Murugavel
For Respondent : Mr.M.V.Ramachandramurthy,
Additional Public Prosecutor,
Assisted by.
Mr.M.Thamizhmani



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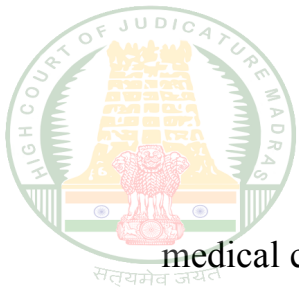
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ORDER

The petitioners, who apprehending arrest at the hands of the respondent police, for the alleged offences punishable under Section 6 of POCSO Act 2012 and Section 9, 11 of Prohibition of Child Marriage Act, 2006, in Crime No.109 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the alleged incident occurred on 12.06.2024, prompting a complaint by the defacto complainant, Ramyamala, wife of A1 Kamalakkannan, which led the police to register the case on 06.08.2025. There are five accused persons: A1 (their son), and A4 and A5 (his parents). The complainant lives with her husband, A1 and was studying in Diploma in Nursing at Sriram Nursing College in Puducherry. They were in a relationship and got married on 12.06.2024.

3. The petitioner herein is the husband of minor girl been prosecuted by the respondent police along with his parents and the parents of his wife. She was pregnant and on 06.08.2025, visited Rajiv Gandhi Government Women and Children Hospital, Puducherry, with her husband, A1 Kamalakkannan, for a



medical check-up. The hospital staff determined that she was under 18 years old and leading to the registration of the case against the petitioners.

4. The Learned Additional Public Prosecutor appearing for the respondent states that the defacto complainant is the hospital authority who had informed the police about the child marriage, when the victim girl went for delivery.

4. Heard the learned counsels on either side and perused the materials available on record.

5. Considering the nature of the complaint and since custodial interrogation of the petitioners are not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, **on or before 29.08.2025** before the learned **Fast Track Court exclusively under POCSO Act, Puducherry**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:



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[a] if the petitioners fail to surrender before the said Magistrate on or before 29.08.2025, this Order shall stand automatically cancelled;

[b] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;

[c] The petitioners shall report before the respondent police as and when required for interrogation.

[d] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[e] If the accused thereafter absconds, a fresh FIR



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can be registered under Section 269 of B.N.S.

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To,

1. The Learned Fast Track Court, (POCSO Act), Puducherry.
2. The Station House Officer, Thirukanur Police Station, Puducherry.
3. The Public Prosecutor, High Court of Madras.

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



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Dr.G.JAYACHANDRAN, J.
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