



Crl.O.P.No.24032 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2025

CORAM

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.24032 of 2025

1.Sathya Moorthi
2.Muniyan
3.Rajalakshmi

... Petitioners

Vs.

The Inspector of Police,
All Women Police Station,
Kallakurichi District.
(Crime No.24 of 2025)

... Respondent

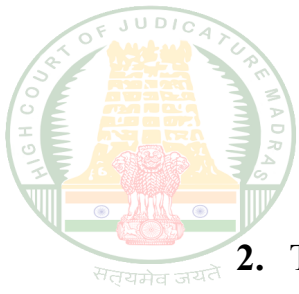
PRAYER : Criminal Original Petition filed under Section 482 of BNSS, to enlarge the petitioners on anticipatory bail in the event of their arrest pending investigation in Crime No.24 of 2025 on the file of the respondent police.

For Petitioners : Mr.S.Saravanakumar

For Respondent : Mr.S.Udayakumar
Government Advocate (Criminal Side)

ORDER

The petitioners herein apprehend arrest at the hands of the respondent police for the offences punishable under Section 9 of Prohibition of child Marriage Act 2006, and 5(i), 5(i)(ii), 6 and 17 of Protection of child from Sexual offences Act, 2012, in Crime No.24 of 2025, on the file of the respondent Police, seeks anticipatory bail.



Crl.O.P.No.24032 of 2025

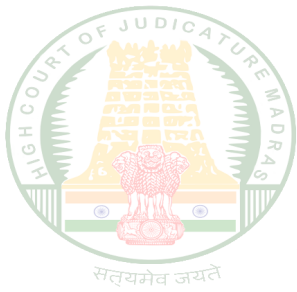
2. The learned counsel appearing for the petitioners states that the petitioners have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

3. The learned Government Advocate (Criminal Side) submits that, as per the statement recorded under Section 183 of the BNSS Act from the victim girl, she appears to be 17 years old. She had voluntarily eloped with the first petitioner and married him on 31.05.2025. The girl further stated that she is living with the first petitioner and the victim girl became pregnant. Hence, he opposed for grant of anticipatory bail to the petitioners.

4. Considering the said fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned **Judicial Magistrate No.1, Ulundurpet, Kallakurichi District**, 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:

[a] the sureties shall affix their photographs and Left



Crl.O.P.No.24032 of 2025

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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;

[b] the petitioners shall report before the respondent police as and when required;

[c] 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];**

[d] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

02.09.2025

nvi

To

1. The Judicial Magistrate-1, Ulundurpet, Kallakurichi District.
2. The Inspector of Police,
All Women Police Station,
Kallakurichi District.
3. The Public Prosecutor,
High Court of Madras.

Dr.G.JAYACHANDRAN, J.



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Crl.O.P.No.24032 of 2025

nvi

Crl.O.P.No.24032 of 2025

02.09.2025