



Crl.OP.No. 24824 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP NO. 24824 of 2025

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1.Srinivasulu @ Srinivasan
2.Saritha

...Petitioners

Vs

The State rep. by
The Inspector of Police
All Women Police Station
Thiruttani
Thiruvallur District.
Crime No. 157 of 2025.

Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of his arrest in Crime No. 157 of 2025 on the file of respondent
police.

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

ORDER

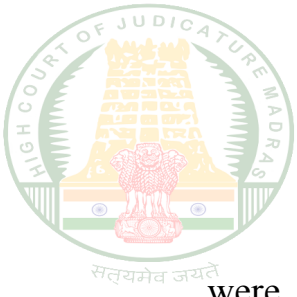
The petitioners, who apprehend arrest at the hands of the respondent
police for the offences punishable under Section 87 BNS r/w Section 5(1),
5(j)(ii), 6(1) of POCSO Act and Section 11 of Child Marriage Act @



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Section 87 BNS r/w Section 5(1), 5(j)(ii), 6(1) of POCSO Act and Section 11 of Child Marriage Act and Section 106(2), 90, 91 r/w 49 of BNS and Section 4(b), 3(2), 5(2), 5(3) of Medical Termination of Pregnancy Act, 1971, in Crime No.157 of 2025 on the file of the respondent Police, seeks anticipatory bail.

2.The allegation against the petitioners is that the 1st petitioner gave a complaint before the respondent police on 05.08.2025 stating that his minor daughter viz., Shanmugapriya, who is aged about 17 years was missing. On 08.08.2025, the respondent police procured the victim girl as well as the boy viz., Manivannan, both of them aged about 17 years. On interrogation revealed that both of them love affair with each other and he had physical relationship with her on several occasions and she got pregnant and later, he got married. Due to multiple complications of severe illness, she died in a hospital. Hence, the respondent police registered a case against the petitioners.



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3.The learned counsel for the petitioners submits that the petitioners were not aware about A1's relationship with the victim girl. He further submits that the petitioners are arrayed as A4 and A5 and they were not aware of the pregnancy of the victim girl. The petitioners had taken the victim girl and admitted to a hospital immediately they came to know that about the ill-health of victim and later, she died due to multiple comorbidities. He further submits that the petitioners are ready to abide by any condition that may be imposed by this Court and ready to furnish sufficient solvent sureties for his release.

4.The learned Government Advocate (Criminal side) for the respondent police, reiterated the prosecution case and submits that 41A notice has already been issued to A1 to A3 and thereafter, they were enquired and they were already arrested and remanded into judicial custody. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record.



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6. Considering the nature of allegations and the submissions made by the learned Counsel on either side, and considering the fact that A1 to A3 were already arrested and remanded into judicial custody and the custodial interrogation of petitioners herein is not required in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Special Court under POCSO Act, Thiruvallur**, on condition that the petitioners shall execute a bond for a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** **with two sureties** each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:-

(a) If the petitioner fails to surrender before the concerned Magistrate, within a period of fifteen days from the date of receipt of a copy of this order, 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



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their identity;

[c] **the petitioner shall report before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, 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 petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner 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 can be registered under Section 269 of B.N.S.

24.09.2025

MSM

To

1.The Special Court under POCSO Act, Thiruvallur.

2.The Inspector of Police

All Women Police Station, Thiruttani,
Thiruvallur District. Crime No. 157 of 2025.

3. The Public Prosecutor, High Court of Madras.

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K.RAJASEKAR, J.

MSM

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