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Crl.OP.No.25907 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM

THE HONOURABLE MR JUSTICE K.RAJASEKAR

Crl.O.P.No.25907 of 2025

Karthick

... Petitioner

Vs.

State by
The Inspector of Police,
All Women Police Station-Mangalamedu,
Perambalur District.
(Cr.No.20 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, to enlarge the petitioner on anticipatory bail in the event of his arrest by the respondent police, pending investigation of the case in Crime No.20 of 2025 on the file of the respondent police.

For Petitioner : Mr.Vijayaragavan Marimuthu

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)



ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 5(1), 5(j)(ii) and 6 of Protection of Children from Sexual Offences Act, 2012 and under Section 9 of Child Marriage Restraint Act, 1929 in Cr.No.20 of 2025 on the file of the respondent police seeks anticipatory bail.

2. The allegation against the petitioner is that he married the victim girl, who was a minor, in January 2025, and subsequently committed penetrative sexual assault on her, resulting in her pregnancy. Based on the complaint, a First Information Report (FIR) was registered on 09.04.2025. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner married the victim voluntarily and that the couple subsequently cohabited. He further submitted that the petitioner was unaware of the victim's age at the time. It was only during her treatment for pregnancy that he discovered she was approximately 17 years old. On these grounds, he prayed for the grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police, reiterated the prosecution case and reported that investigation in this case is not yet completed. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case and the submissions made by both counsel, and taking note of the fact that the marriage occurred in January 2024, while the FIR was registered belatedly in April 2025, and further considering that the victim is in an advanced stage of pregnancy and the age of the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to certain conditions

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen (15) days from the date on which the order copy made, before the learned **Sessions Judge, Mahila Court, Perambalur** on condition that the petitioner 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 learned Magistrate concerned, and on further condition that:

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(a) If the petitioner fails to surrender before the concerned Magistrate within a period of fifteen (15) 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 identify proofs to ensure their identity;

(c) The petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

(d) The petitioner shall cooperate fully with the investigation, including submitting to any medical examination as and when required by the Investigating Officer ;

(e) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on



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anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560];***

(f)If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

22.09.2025

Vv

To

1. The Sessions Judge,
Mahila Court, Perambalur.
2. The Inspector of Police,
All Women Police Station-Mangalamedu,
Perambalur District.
- 3.The Public Prosecutor
High Court of Madras,
Chennai 600 104.



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K.RAJASEKAR, J.

Vv

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