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CrI.O.P.No.26389 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

CrI.O.P.No.26389 of 2025

1.V.Vetrivel
2.V.Velliangiri

... Petitioners

Vs.

The State Rep. By,
The Inspector of Police,
AWPS Udumalaipettai Police Station,
Tiruppur.
Crime No.52 of 2025

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.52 of 2025 on the file of the respondent police.

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



CrI.O.P.No.26389 of 2025

WEB COPY

ORDER

The petitioners herein apprehends arrest at the hands of the respondent police for the offences punishable under Sections 127(1)(4) and 137(1)(b) of the BNS Act, 2023 and under Sections 5(l), 6 read with 16 and 17 of POCSO Act and under Sections 9 an 10 of the Prohibition of Child Marriage Act, 2006, in Crime No.52 of 2025, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the 1st petitioner developed contact with the victim girl, aged about 17 years, through Instagram and closely moved with her. Subsequently, he kidnapped her under the pretext of marrying her and committed penetrative sexual assault. The other petitioners are alleged to have supported the 1st petitioner in conducting the marriage with the victim girl. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the 1st petitioner is aged about 22 years and that since the 1st petitioner and the victim girl were well acquainted with each other, they got married. It is



Crl.O.P.No.26389 of 2025

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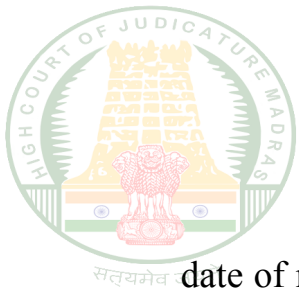
further submitted that the petitioners were not aware of the age of the victim girl. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterating the prosecution case and submitted that the age of the victim girl is 17 years old. He further submitted that 1st petitioner/A1 had committed penetrative sexual assault. Hence, he opposed for grant of anticipatory bail.

5. I have carefully perused the materials available on record, including the statement of the victim girl.

6. Considering the facts and circumstances of the case, and age of the petitioner and victim, this Court is of the view that the custodial interrogation of the petitioners is not required and is inclined to grant anticipatory bail to the petitioners with certain conditions:

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of ten days from the



Crl.O.P.No.26389 of 2025

WEB COPY

date of receipt of a copy of this order, before the learned **Additional Mahila Court, Udumalaipet**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 petitioners fails to surrender before the concerned Magistrate within a period of ten 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 their identity;

[c] the petitioners shall report before the respondent police for a period of three weeks, and thereafter, as and when required for interrogation;

[d] The 1st petitioner shall cooperate with the investigation and also appear for medical examination as an when required;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled



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CrI.O.P.No.26389 of 2025

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]**;

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

13.10.2025

cda

To

1.The Additional Mahila Court, Udumalaipet.

2.The Inspector of Police,
AWPS Udumalaipettai Police Station,
Tiruppur.

3.The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.26389 of 2025

K.RAJASEKAR, J.

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Crl.O.P.No.26389 of 2025

13.10.2025