



Crl.O.P.No.34580 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

Crl.O.P.No.34580 of 2025

Suriya

... Petitioner

Vs.

State By,
The Inspector of Police,
All Women Police Station,
Perambalur District.
Crime No.53 of 2025.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.53 of 2025 on the file of the respondent police.

For Petitioner : Mr.G.Ilamurugu

For Respondent : M/s.J.R.Archana
Government Advocate (Crl. Side)



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ORDER

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The petitioner herein apprehends arrest at the hands of the respondent police for the offences punishable under Section 9 of Prohibition of Child Marriage Act, 2000 in Crime No.53 of 2025, on the file of the respondent Police, seek anticipatory bail.

2. The allegation against the petitioner is that the petitioner abducted the minor victim girl aged about 17 years and married her. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that, it is not a case of sexual assault and the victim voluntarily gone with the petitioner and there is no marriage alleged in the FIR. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the investigation is pending. Hence, he prays for dismissal of the petition.

5. Considering the facts and circumstances of the case and it is not the case of penetrative sexual assault and now the victim girl also secured, this



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Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of ten days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Kunnam** on condition that each of 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 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 their identity;



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[c] the petitioner shall report before the respondent police daily at 10.30.a.m., for a period of two 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.

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To

1.Judicial Magistrate, Kunnam.

2.The Inspector of Police,
All Women Police Station,
Perambalur District.

3.The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

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