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CrI.OP.No. 34663 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 34663 of 2025

1.Kalithas
2.Kamali
3.Kamaraj
4.Nanthini
5.Chitra

Petitioners

Vs

The State rep. by
The Inspector of Police
AWPS – Jayankondam
Ariyalur District
Crime No. 114 of 2025.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioners on bail in the event of their arrest pending investigation in Crime No. 114 of 2025 on the file of the respondent police.

For Petitioners : Mr.Nirmal Krishnan
For Respondent : Ms.J.R.Archana,
Government Advocate (Criminal Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 9, 10 of Prohibition of Child Marriage Act and Section 5 (J)(i)(ii) r/w Sections 6, 17 of Protection



of Child from Sexual Offences Act, 2012 in Crime No. 114 of 2025 on the file of the respondent Police, seeks anticipatory bail.

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2. The allegation against the petitioners is that the first petitioner developed relationship with the victim girl, who was aged about 17 years and kidnapped her to his house, forced the family members to conduct marriage between them on 02.09.2025 and subsequently, the petitioner had penetrative sexual assault with her, which resulted in, pregnancy. Hence the complaint was lodged against the first petitioner and his family members.

3. The learned Counsel for the petitioners submits that the victim is not below 17 years and she has completed 18 years, she was not kidnapped by the first petitioner, she voluntarily came to his house and refused to go to her house and therefore, the family members were conducted the marriage between the first petitioner and the victim. However, the petitioners are ready to abide any condition imposed by this Court and he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Criminal Side) appearing for the respondent, reiterated the prosecution case and submits that the victim girl who was aged about 17 years is three months pregnant. He also submits that investigation is pending. He opposed for grant of anticipatory bail to the petitioners.

5.Considering the nature of allegations and also the fact that all the family members joined together and conducted the marriage to the victim girl, and other facts and circumstances, I am of the view that the custodial interrogation of the petitioners is not necessary, this Court is inclined to grant anticipatory bail to the petitioners.

6.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 Mahila Court, Ariyalur, 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 petitioners 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;

[c] the petitioners 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 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 themselves as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;



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

18.12.2025

MSM

To

1. Mahila Cour, Ariyalur.
2. The Inspector of Police
AWPS – Jayankondam
Ariyalur District
Crime No. 114 of 2025.
3. The Public Prosecutor, High Court of Madras.



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K.RAJASEKAR, J.

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