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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.1810 of 2025

Vigneshwaran

... Petitioner/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Sattur All Women Police Station,
Virudhunagar District.
Crime No.4 of 2025.

... Respondent/Complainant

For Petitioner : Ms.S.Meena
Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.4 of 2025 on the file of the Respondent Police.



ORDER: The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioner on 28.01.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita praying to grant an order of pre-arrest bail.

2. The petitioner/rank not known, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 5(1)(j)(ii) r/w 6 of Protection of Children from Sexual Offences Act, 2012 and 65(1) of the Bharatiya Nyaya Sanhita (BNS) Act, 2023, in Crime No.4 of 2025 on the file of the respondent-police.

3. In this case, Public Welfare Officer attached to Vembakottai Panchayat is the defacto complainant. The case of the prosecution is that the Public Welfare Officer received secret information that the marriage was solemnised between the petitioner and the victim girl, who is minor aged about 14 years. The defacto complainant enquired the petitioner and the victim girl and their parents. The petitioner and the victim girl stated that they were in love with each other, and as a result, the victim girl became 7 months pregnant. Hence, the defacto complainant lodged a complaint.



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4. Ms.S.Meena, learned counsel for the petitioner, submits that the petitioner has not committed any offence as alleged by the prosecution and the respondent police has falsely implicated the petitioner as an accused. She further submits that the petitioner is ready to obey the condition, if any, imposed by this Court. Accordingly, she prays to grant an order of pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-police, submits that investigation has not been completed, at this stage if an order of pre-arrest bail is granted, this petitioner would cause threat to the victim girl and other witnesses. Accordingly, he opposes to grant pre-arrest bail to the petitioner.

6. Heard on both sides. This Court has perused the records.

7. Considering the facts and circumstances of the case, this Court is of the view that the custodial interrogation of the petitioner is very much essential to unearth the truth. Considering the nature of the offence as alleged, if pre-arrest bail order is granted in favour of the petitioner, there is every possibility for causing threat to the victim girl and other witnesses. Hence, this Court is not inclined to grant an order of



pre-arrest bail to the petitioner at this stage of the investigation. Hence, this Criminal

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Original Petition is dismissed.

Sd/-
07/02/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

rmk

TO

- 1 THE INSPECTOR OF POLICE,
SATTUR ALL WOMEN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1810 of 2025
Date :07/02/2025

ES/SKN/SAR-3 /20.02.2025/4P/3C

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