



CRL OP(MD). No.6078 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Silambarasan

... Petitioner/ A1

Vs

The State of Tamilnadu Rep., By,
The Inspector of Police,
All Women Police Station, Lalgudi,
Trichy District.(In Crime No.18 of 2025)
(Amended as Per Order of the Court
dated 22.04.2025 in Crl.M.P.(MD).No.4708 of 2025)

... Respondent/Complainant

For Petitioner : Mr.D.Venkatesh,
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.18 of 2025 on the file of the respondent-police.



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WEB COPY ORDER: The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 28.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 9 and 10 of Prohibition of Child Marriage Act, 2006, in Crime No.18 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that A2 and A3s' daughter, aged about 17 years old and studied 12th standard at Government Girls Higher Secondary School, Mannachanalur. On 24.03.2025, they solemnized her marriage with the petitioner/A1 against her wish and will of the defacto complainant, when she was a minor. Hence, the complaint.

4. Mr.D.Venkatesh, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that a false case has been foisted against the petitioner. He however submits that he is ready to abide any conditions to be imposed by this Court. Therefore, he prays for granting 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 at the time of marriage, the



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victim girl was aged about 17 years. He further submits that if pre-arrest bail is granted to the petitioner, he will cause threat to the defacto complainant. Hence, he vehemently 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, and considering the nature of the offence alleged against the petitioner, and also considering the fact that the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding, and also considering the fact that there is no previous case pending against the petitioner, and taking note of the fact that the custodial interrogation of the petitioner may not be necessary for the investigating agency and also with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant an order of pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Lalgudi, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to



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the satisfaction of the learned Judicial Magistrate, Lalgudi,;

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(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate, Lalgudi, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the respondent-police daily at 10.00 a.m., until further orders;

(iv) The petitioner shall make himself available for interrogation by a police officer as and when required;

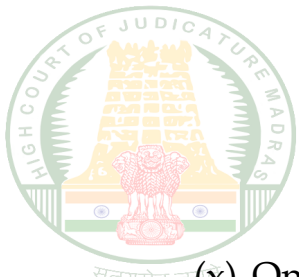
(v) The petitioner shall not, directly or indirectly cause threat to the defacto complainant and the witnesses and shall not tamper the evidence;

(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not leave India without the previous permission of the Court;

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Lalgudi,;

(ix) The petitioner shall not enter into the defacto complainant's house; and



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(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Lalgudi, or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

Sd/-

25/04/2025

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Sub Assistant Registrar

(CS-I / II / III / IV)

Madurai Bench of Madras High Court,
Madurai.

vsg

TO

1.The Judicial Magistrate, Lalgudi.

2.Do Through

The Chief Judicial Magistrate,
Trichy.



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3.The Inspector of Police,
All Women Police Station,
Lalgudi,
Trichy District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-4946[I] dated 28/04/2025)

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MK - (29.05.2025) 6P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.