



CRL OP(MD)No.9203 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD)No.9203 of 2025

1.Ponnusamy
S/o.Kama Nayakkar

2.Govintharaj @ Govindharasu
S/o.Pomma Nayakkar

... Petitioners/
Accused Nos.3 & 4

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
AWPS – Kulithalai,
Karur District.
(Crime No.16 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.B.Azhagesh
Advocate

For Respondent : Mr.S.Prakash
Government Advocate (Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.16 of 2025 on the file of the Respondent Police.



CRL OP(MD)No.9203 of 2025

ORDER : The Court made the following order :-

WEB COPY

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 366, 506(i) of IPC and Sections 9 & 10 of Prohibition of Child Marriage Act, 2006 r/w Section 67(B) of Information Technology Act, 2000, in Crime No.16 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 14.05.2021, Accused Nos.1 and 2 forcibly brought the defacto complainant in the car driven by the first petitioner/Accused No.3, where the second petitioner/Accused No.4 was sitting in the back seat and they have took the defacto complainant to the house of the second petitioner/Accused No.4, thereafter, the petitioners left the place. On 15.05.2021, at about 4.30 a.m., the first accused had forcibly married the defacto complainant, and the first accused dropped the second accused and the defacto complainant at T.Edaiyapatti. Thereafter, on 15.05.2025, the first accused kept the photo of the defacto complainant as if they were married in the status. When the defacto complainant questioned about the status, the first accused intimidated her. Hence, the case has been registered.



CRL OP(MD)No.9203 of 2025

WEB COPY

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He would further submit that the co-accused were already released on bail and hence, he seeks anticipatory bail.

4. The learned Government Advocate (Crl.side) submitted that there is no previous case pending as against the petitioners and co-accused were already released on bail.

5. Considering the facts and circumstances of the case and also considering the fact that no previous case is pending against the petitioners and the co-accused were already released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Kulithalai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-



CRL OP(MD)No.9203 of 2025

(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judicial Magistrate No.1, Kulithalai, and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate No.1, Kulithalai. In the event of any change in their residential address, the petitioners shall report the same to the learned Judicial Magistrate No.1, Kulithalai;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by



CRL OP(MD)No.9203 of 2025

WEB COPY

the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 269 BNS.

sd/-
10/06/2025

/ TRUE COPY /

/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSD
TO

1 THE JUDICIAL MAGISTRATE NO.I
KULITHALAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
AWPS - KULITHALAI,
KARUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9203 of 2025
Date :10/06/2025

SS/SAR- /18/06/2025/ 5P/5C

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