



CRL OP(MD).No.12163 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

CRL OP(MD).No.12163 of 2025

V.Balamurugan,
S/o.Veeraiyan,

..Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep.by The Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
(Crime No.81 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.T.Mahendren,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.81 of 2025 on the file of the Respondent Police.



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ORDER : This Court made the following order :-

The petitioner /Sole Accused, who was arrested and remanded to judicial custody on 03.06.2025 for the offences punishable under Sections 140(4), 351(3) of BNS r/w 5(l) and 6 of POCSO Act and Section 9 of Prohibition of Child Marriage Act, in Crime No.81 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant loved each other. On 15.02.2025, the petitioner kidnapped the victim girl, who is minor, in his two wheeler, took to his village and performed marriage and had sexual intercourse. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner and the defacto complainant loved each other. Due to compulsion of the victim girl, the petitioner had performed the marriage. He would further submit that the petitioner is ready and willing to abide any conditions that may be imposed by this Court and the petitioner is in custody from 03.06.2025 nearly 44 days. Hence, he seeks bail.



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4. The learned Government Advocate (Criminal Side) would submit that the petitioner and the defacto complainant loved each other. On 15.02.2025, the petitioner kidnapped the victim girl, who is minor, in his two wheeler, took to his village and performed marriage and had sexual intercourse. He would further submit that earlier the petitioner and the defacto complainant went away from home and in that regard a case in Crime No.394 of 2024 has been registered against the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also taking note of the fact that the occurrence had taken place on 15.02.2025 by this time most of the investigation might have been completed and considering the age of the petitioner and the defacto complainant and the statements made by both sides and also taking note of the fact that the the petitioner/ Accused is in judicial custody from 03.06.2025, taking into consideration of the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur and on



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further conditions that :-

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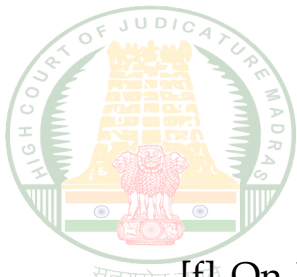
[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and contact number to the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur. If the petitioner changes his residential address, he shall report the same to the learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur;

[c] the petitioner is directed to stay at Pudukkottai and appear before the Pudukkottai Town Police Station daily twice at 10.00 a.m., and 05.00 pm until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the 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)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
18/07/2025

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/07 /2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

das
TO

1 THE SESSIONS JUDGE,
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE TRIAL
OF CASES UNDER POCSO ACT, THANJAVUR.

2 THE SUPERINTENDENT OF PRISON,
CENTRAL PRISON, PUDUKOTTAI.



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3 THE INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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

COPY TO:

THE INSPECTOR OF POLICE,
PUDUKKOTTAI TOWN POLICE STATION,
PUDUKKOTTAI.

ORDER
IN

CRL OP(MD) No.12163 of 2025

Date :18/07/2025

AS/21.07.2025/6P/6C

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