



CRL OP(MD).No.12519 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2025

PRESENT

THE HONOURABLE MR.JUSTICE P.VADAMALAI

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**Chokkan,
S/o.Subramani, : Petitioner/Sole Accused**

Vs

**The State of Tamilnadu
rep.by The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.
(Crime No.221 of 2024) .. Respondent/Complainant**

**For Petitioner : Mr.K.Sivabalan, Advocate.
for M/s.Aran Legal Consultancy.**

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.221 of 2024 on the file of the Respondent Police.

ORDER : This Court made the following order :-

The petitioner /Sole Accused, who was arrested and remanded to judicial



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custody on 13.06.2025 for the offences punishable under Sections 5(1), 5(j) (ii) r/w 6 (1) of POCSO Act and Section 127 (iii) of BNS 2023 and Section 9 of Prohibition of Child Marriage Act, in Crime No.221 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the victim loved each other and the victim eloped with the petitioner and they solemnized their marriage. At the time of marriage, the victim was approximately 17 years of age. Due to their wedlock, the victim delivered a child. 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. Even in the statement recorded under Section 183 BNSS, the victim has not raised any allegations against the petitioner. It is a case of love affair and the marriage of the petitioner with the victim is accepted by their parents. Now the victim delivered a child. He would further submit that the petitioner is in custody from 13.06.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the victim is aged about 17 years. The petitioner married the victim girl and had physical relationship. Now the victim delivered a child. He would fairly concede



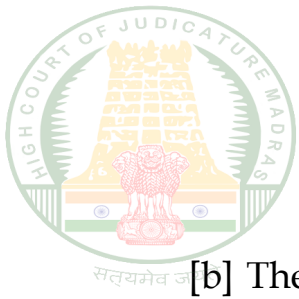
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that the statement recorded under Section 183 BNSS , the victim has not raised any
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allegations against the petitioner and the petitioner is not having any previous case.

5. Taking into consideration of the facts and circumstances of the case and taking note of the fact that it is a case of love affair, the petitioner is not having any pervious case and the statement of victim has been recorded under Section 183 BNSS, the victim girl did not say anything against the petitioner and most of the investigation has been completed and also considering the fact that the petitioner/Accused is in judicial custody from 13.06.2025, 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 Judge, Mahila Court, Pudukkottai and on further conditions that :-

[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.



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[b] The petitioner shall furnish his residential address and contact number to the learned Judge, Mahila Court, Pudukkottai. If the petitioner changes his residential address, he shall report the same to the learned Judge, Mahila Court, Pudukkottai;

[c] the petitioner shall appear and sign before the respondent police daily at 10.00 a.m., until further order;

[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.

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

das



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TO

1.The Judge, Mahila Court, Pudukkottai

2.The Officer In charge,
District Prison, Pudukkottai.

3.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukkottai District.

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

+1 CC to M/s.K.SIVABALAN, Advocate (SR-8004[I] dated 24/07/2025)

ORDER
IN

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Date :24/07/2025

PS/SAR.24.07.2025 5P/6C

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