

CRL OP(MD). No.13392 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20.08.2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.13392 of 2025

Sathishkumar

..Petitioner/1st Accused

Vs

State of Tamil Nadu

Rep by the Sub Inspector of Police,
AWPS Oddanchatram Police Station,
Dindigul District.
(Crime No.13 of 2025)

.. Respondent/Complainant

For Petitioner : Mr.M.Venkatesan
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.13 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, who was arrested and remanded to judicial custody on 30.05.2025 for the offence punishable under Sections 9 and 10 of Prohibition of Child Marriage Act and under Sections 5(l) r/w 6 of POCSO Act, in Crime No.13 of



CRL OP(MD). No.13392 of 2025

2025 on the file of the respondent police. Hence, he seeks bail.

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2. The case of the prosecution is that the parents of the victim and the parents of the petitioner arranged a marriage between the petitioner and the victim girl on 07.07.2024 at Arulmigu Sree Kottai Periya Bahavathi Ammal Temple. After the marriage was solemnised, the petitioner and the victim girl lived in the petitioner's house for a period of four months. However, a conflict of interest arose between the parents of the petitioner and the victim girl, and subsequently, the victim girl moved back to her parents' house. After coming to the knowledge of the said marriage, the Village Extension Officer has given a complaint before the respondent police.

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 there is no specific overt act attributed against this petitioner and there is no previous case pending against the petitioner. He would further submit that the petitioner is in judicial custody from 30.05.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that there is no previous case pending against the petitioner and the investigation is almost completed. However, he objected to grant bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and also



CRL OP(MD). No.13392 of 2025

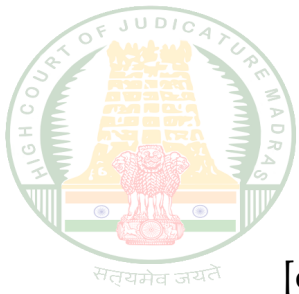
the fact the statement under Section 183 BNSS has already been recorded from the victim girl and the petitioner was arrested on 30.05.2025 and there is no previous case pending against the petitioner and the investigation has been almost completed and also consideration the period of incarceration suffered by the petitioner, 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 the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul, 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.

[b] The petitioner shall furnish his residential address and mobile number to the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul.

(c) If the petitioner changes his residential address, he shall report the same to the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul.



CRL OP(MD). No.13392 of 2025

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[d] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

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

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

[g] 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].

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

sd/-
20/08/2025

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



CRL OP(MD). No.13392 of 2025

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To

1. The Sessions Judge,
Special Court for Exclusive Trial of Cases under POCSO Act,
Dindigul.
2. The Superintendent, Central Prison,
Madurai.
3. The Sub Inspector of Police,
AWPS Oddanchatram Police Station,
Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.13392 of 2025
Date :20/08/2025

SBN/21.08.2025 5P/5C

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