



CRL OP(MD).No.14008 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/08/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Thirumaran,
S/o.Nagarajan

.. Petitioner/Sole Accused

Vs

The State of Tamilnadu
rep. by The Inspector of Police,
Chinnamanur Police Station,
Theni District.
(Crime No.139 of 2025)

.. Respondent/Complainant

(Case of the prosecution has been amended vide Court dated 26.08.2025 in CrI.M.P.
(MD)No.11448 of 2025 in CrI.O.P.(MD)No.14008 of 2025 by PVMJ)

For Petitioner : Mr.K.Dinesh,
Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS



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PRAYER :- For Bail in Crime No.139 of 2025 on the file of the Respondent Police.

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ORDER : This Court made the following order :-

The petitioner/ Accused, who was arrested and remanded to judicial custody on 22.06.2025 for the alleged offences punishable under Sections 5(l) and 6 of POCSO Act, 2012 r/w. Section 87 of BNS, 2023 in Crime No.139 of 2025 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de-facto complainant's daughter was working in a textile shop. On 02.03.2025, the victim girl went to the textile shop but did not return home till 9.00 p.m. The de-facto complainant enquired at the said shop, and it was stated that she had left the shop at about 8.30 p.m. Since the de-facto complainant went in search of her but was unable to find her, a case was registered as "girl missing". During the course of investigation, it was found that the victim girl had once again eloped with the petitioner and that they had once again performed marriage at Kodaikanal. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution.



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He, however, submitted that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court, and he has been in judicial custody from 22.06.2025. Hence, he prays for grant of bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) submitted that the petitioner is the sole accused in this case. The victim girl is aged 16 years, while the petitioner is aged 20 years. He submitted that both the petitioner and the victim girl were in a love affair, and that the petitioner had earlier kidnapped the victim girl, for which a case was registered in Crime No.293 of 2024, in which the petitioner was arrested and subsequently released on bail on 04.09.2024. Now, the petitioner has once again kidnapped the same victim girl, performed marriage with her at Theni, and thereafter taken her to Kodaikanal. He further submitted that the entire investigation has been completed, and the final report has also been filed through e-filing. However, he opposed the grant of bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case, and taking note of the fact that the petitioner was remanded to judicial custody on 22.06.2025, and that it is a case of child marriage, and that the entire investigation has already been completed, and the final report has also been filed through e-filing, and also



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considering the period of incarceration already suffered by the petitioner, this Court
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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 Principal Special Judge for Exclusive Trial of Cases under the POCSO Act, Theni District 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 contact number to the learned Principal Special Judge for Exclusive Trial of Cases under the POCSO Act, Theni District. If the petitioner changes his residential address, he shall report the same to the learned Principal Special Judge for Exclusive Trial of Cases under the POCSO Act, Theni District;

[c] the petitioner shall stay at Dindigul District and sign before the Inspector



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of Police, Dindigul Taluk Police Station, Dindigul District daily twice i.e. at 10.00

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a.m. and 05.00 p.m. 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;

[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]; and;

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

sd/-

29/08/2025

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01/09/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

1.The Principal Special Judge for Exclusive Trial
of Cases under the POCSO Act,
Theni District.

<https://www.mhc.tn.gov.in/judis>



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2.The Officer In-charge,District Jail,
Ramanathapuram.

3.The Inspector of Police,
Chinnamanur Police Station,
Theni District.

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

Copy to
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

ORDER
IN

CRL OP(MD) No.14008 of 2025
Date :29/08/2025

HPS/01.09.2025 6P/6C

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