



Crl.O.P.(MD)No.16521 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.10.2025

PRESENT

The HONOURABLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD)No.16521 of 2025

Sivaselvakumar

...Petitioner

Vs.

The State of Tamil Nadu,
Represent by the Inspector of Police,
All women Police Station,
Sivakasi,
Viruthunagar District.
(Crime No.19 of 2025)

... Respondent

For Petitioner : Mr.D.Muthupandi

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.19 of 2025 on the file of the respondent police.

ORDER: The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



Crl.O.P.(MD)No.16521 of 2025

for the offences punishable under Sections 5(1), 6 of POCSO Act, Section 9 of Prohibition of Child Marriage Act and Section 115(2) of BNS, 2023, in Crime No.19 of 2025, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that victim and the petitioner are in love affair, they eloped and also got married. Both families refused to accept their marriage. The victim alleged that after marriage, the petitioner had sexual affairs with her on several occasions. She further alleged that on 24.08.2025 about 10.00 P.M, the petitioner spoke with an unknown person frequently and she questioned the conduct of the petitioner. The petitioner attacked the victim on her stomach. Thereafter, the victim was secured by one Mutheeshwarn who is uncle of the petitioner and she was handed over to her parents. Hence, a case has been registered as against the petitioner.

3.The learned Counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and he has not committed any offence. He seeks this Court to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the offences committed by the petitioner are serious



Crl.O.P.(MD)No.16521 of 2025

WEB COPY

5.After reading the 164 statement recorded by the Judicial Magistrate, this Court is of the considered opinion that there is traces of Child Marriage Act. Therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Special Court for the Exclusive trial of POCSO Act Cases, Srivilliputhur, Virudhunagar District, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

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

[c]the petitioner shall not tamper with the evidence or witness either



Crl.O.P.(MD)No.16521 of 2025

during investigation or trial.

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

[e]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 is 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].

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

08.10.2025

TMG

TO

1.The Special Court for the Exclusive trial of POCSO Act Cases,
Srivilliputhur, Virudhunagar District.

2.The Inspector of Police,
All women Police Station,
Sivakasi, Viruthunagar District.

3.The Additional Public Prosecutor,
Madurai Bench Of Madras High Court,
Madurai.

4/5



WEB COPY



Crl.O.P.(MD)No.16521 of 2025

S.SRIMATHY,J

TMG

ORDER
IN
CRL OP(MD) No.16521 of 2025

Date : 08.10.2025