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CRL OP(MD) NO. 17722 of 2025  
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14-10-2025

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 17722 of 2025

1. Marimuthu

2. Malarmannan

Petitioner(s)

Vs

The State of Tamilnadu Rep.by  
The Inspector of Police  
Alankudi All Women Police Station  
Pudukkottai District  
(Crime No. 27 of 2025)

Respondent(s)

**For Petitioner(s):** Mr.R.Maheswaran

**For Respondent(s):** Mr.E.Antony Sahaya Prabahar, Additional Public Prosecutor

**Prayer:**

C-58AB For Anticipatory Bail in Crime No.27 of 2025 on the file of the respondent police

**ORDER:** The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b) and 115(2) of BNS, 2023 and Sections 11(4) read with 12 of POCSO Act, in Crime No.27 of 2025, on the file of the respondent police, seek anticipatory bail.



2.The case of the prosecution is that on 10.09.2025, the accused sent a message saying I love you to the defacto complainant. On 12.09.2025, defacto complainant's uncle went to the house of the accused to question about the matter which resulted in quarrel. During that quarrel, the defacto complainant's night dress was torn, she fainted and she was taken by an ambulance to Pudukkottai Government Medical College Hospital for treatment. Hence, the apprehension of arrest. Hence, a case has been registered as against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence. He seeks this Court to grant anticipatory bail to the petitioners.

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

5.Considering the fact that the petitioners herein / Accused Nos.2 and 3 are brothers of the 1st accused and the 1st accused (minor) is the prime accused who had messaged the victim girl, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Learned Judicial Magistrate, Alangudi, within a period of fifteen days from the date of receipt of a copy of this order and on further conditions that:



[a]the petitioners 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 petitioners shall report before the respondent police as and when required. The petitioners shall cooperate with the investigation.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners 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.

**14-10-2025**

Tmg

To

1.The Inspector of Police,  
Alankudi All Women Police Station,



Pudukkottai District.

2.The Judicial Magistrate,  
Alangudi.

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

