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CRL OP(MD) NO. 20742 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20-11-2025

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL OP(MD) NO. 20742 of 2025

MUNIYASAMY

Petitioner(s)

Vs

State Of Tamilnadu
Rep By Inspector Of Police,
AWPS-Kovilpatti Police Station
Thoothukkudi District.
Crime No.42 of 2025

Respondent(s)

For Petitioner(s): Mr.M..Prabu

For Respondent(s): M/s.M.Aasha, Government Advocate (Crl.side)

Prayer:

C-58AB. For Anticipatory Bail in Crime No.42 of 2025 on the file of the Respondent Police.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 137(2) of BNS, Sections 15(1), 15(j) read with 2 and 6 of POCSO Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006, in Crime No.42 of 2025, on the file of the respondent police, seeks anticipatory bail.



2.The case of the prosecution is that the petitioner/accused and the victim girl were having love affair. The petitioner married the minor girl in Murugan Temple, Pazhamuthirsolai, Azhagarkoil, in the month of July 2025 before the presence of elder members of both the families. On 21.09.2025, the petitioner had sexual intercourse with the minor girl and presently, the victim is pregnant with his child. Hence the case.

3.The learned Counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case and the petitioner 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 in nature.

5.Considering the fact that it is a case of child marriage and the victim girl is 14 years old and also she is pregnant, 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 Exclusive Trial of Cases under POCSO Act, Thoothukudi, 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 as and when required.

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

[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.



20-11-2025

To

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1. Inspector Of Police, AWPS-Kovilpatti Police Station
Thoothukkudi District.

2.Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi.

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