



CRL OP(MD). No.23997 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/12/2025

PRESENT

The HONOURABLE MR. JUSTICE M. JOTHIRAMAN

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1. V.Nithyanantham
2. Kalaiselvi
3. Kannan @ John Prakash
4. Selvalakshmi
5. Arunprakash
6. Nagendran @ Nageshwaran ... Petitioners/Accused

Vs

State of Tamilnadu Rep by
Inspector of Police,
AWPS-Sivakasi Police Station,
Virudhunagar District.
Crime No.29 of 2025. ... Respondent/Complainant

For Petitioner : Mr.R.J.Karthick,
For Respondent : Mr.A.S.Abul Kalam Azad,
Government Advocate (Crl.Side)



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PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.29 of 2025 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused Nos.2 to 7, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 9 and 10 of Child Marriage Act and Section 5(1) r/w 6, 16 and 17 of POCSO Act in Crime No.29 of 2025, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 28.06.2023, the petitioners and other accused persons have performed child marriage between the first accused and the defacto complainant. The first accused is the son of the second and third accused. Hence, the case has been registered.

3. The learned Counsel for the petitioners would submit that the petitioners did not involved in any of the offences as alleged by the prosecution. The petitioners are innocent and they are implicated in this



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case. The petitioners were falsely implicated in the present case. Hence, he would pray to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police on instructions, would submit that still the first accused was not arrested. The second and third accused are the parents of A1 and the other accused are the in-laws.

5. Considering the nature of the allegations, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court, Sivakasi, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing



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which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police **daily at 10.30 a.m. until further orders.**

[c] the petitioners shall not tamper with 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 2023.

(M J R J)
26.12.2025

LR



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TO

1. The Judicial Magistrate,
Sivakasi.
2. The Inspector of Police,
AWPS-Sivakasi Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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M. JOTHIRAMAN,J

LR

**ORDER
IN
CRL OP(MD) No.23997 of 2025**

Date : 26/12/2025