



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

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CORAM

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CRL OP No. 3936 of 2026

1. Muthukrishnan
Son of Ezhumalai.
Old No. 1/71, New No. 1/110,
Mariamman Kovil Street,S
ithalingamadam,
Vadamarudur,
Viluppuram.
2. Ezhumalai
Son of Khali,
Old No. 1/71, New No. 1/110,
Mariamman Kovil Street,
Sithalingamadam,
Vadamarudur,
Viluppuram.
3. Muthuammal
Wife of Ezhumalai,
Old No. 1/71, New No. 1/110,
Mariamman Kovil Street,
Sithalingamadam,
Vadamarudur,
Viluppuram.



4. Muthusamy

..Petitioner(s)

Vs

The State, Rep by
The Inspector of Police,
Rishivandiyam Police Station,
Kallakurichi District.
Crime No.153 of 2025

..Respondent(s)

PRAYER: To grant ANTICIPATORY BAIL to the petitioners in the event of arrest in connection with Crime No.153 of 2025 pending investigation on the file of the respondent police and thereby render justice.

For Petitioner(s): Venkatesh

For Respondent(s): M/S.J.R.Archana
Government Advocate (Crl.Side)

ORDER

The petitioners/A1-A4, who apprehend arrest by the respondent police for the offences punishable under Section 194(3) of BNSS, 2023 and Section 5(n), 5(l), 17, 6 of Protection of Child from Sexual Offences Act, 2012 & 9, 10 of the Prohibition of Child Marriage Act, 2006 in Crime No.153 of 2025 seek anticipatory bail.



2.The allegation against the petitioners is that the 1st petitioner is aged about 37 years and he with the help of the other accused, forced the victim child aged about 17 years and forcibly married her, and also the 1st petitioner committed aggravated penetrative sexual assault and, unable to bear the harassment, she left the A1's house and returned back to her mother's house. However, the 1st petitioner went there and threatened her with dire consequences. Unable to bear the harassment, the victim girl consumed poison and died. Hence, originally the case was registered under section 194(3) of BNS, altered into 5(n), 5(l), 17, 6 of Protection of Child from Sexual Offences Act, 2012 & 9, 10 of the Prohibition of Child Marriage Act, 2006. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not instigated the deceased to commit suicide and are ready to co-operate with the investigation. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and submitted that it is a case of forcible marriage of the 17 years old girl and further escalated to the offences of POCSO of committing aggravated penetrative sexual assault. Subsequently,



the victim girl was harassed by the family members. Hence, she returned back to her parents home; even thereafter, the 1st petitioner went there and threatened her. Hence, she has committed suicide. Therefore, she opposed for grant of anticipatory bail to the petitioners.

5. I have gone through the FIR and other connected materials and it is a clear case of all the accused joined together and forcing the victim aged about 17 years to marry 37 years old-1st petitioner and also they have also threatened her with dire consequences. Further A1 has committed aggravated penetrative sexual assault taking advantage of the support of the other accused. Hence, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this Criminal Original Petition is dismissed.

18-02-2026

MPA
To
The State, Rep by
The Inspector of Police,
Rishivandiyam Police Station,
Kallakurichi District.
Crime No.153 of 2025

The Public Prosecutor,
High Court of Madras.



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K.RAJASEKAR, J.

MPA

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