



WEB COPY

Crl.O.P.No.6106 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2026

CORAM

**THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN**

Crl.O.P.No.6106 of 2026

Vijay Kumar

... Petitioner

Vs.

State Rep. By:

The Inspector of Police,  
All Women Police Station,  
Jayankondam,  
Ariyalur District,  
Crime No.3 of 2026.

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, Act, 2023, to enlarge the petitioner on anticipatory bail in the event of his arrest pending investigation in Crime No.3 of 2026 on the file of the respondent.

For Petitioner : Mr.T.Muruganantham  
For Respondent : Mr.P.Dhileepan,  
Government Advocate (Crl.Side)

**ORDER**

The petitioner, who apprehends arrest for the alleged offence under Sections 5(l)(j)(ii) r/w 6 of POCSO Act in Crime No.3 of 2026 on the file of the respondent police, seeks anticipatory bail.



2. The allegation against the petitioner is that the petitioner and the victim girl, aged about 17 years, were in a love affair and stayed together in a rented house. Thereafter, the victim girl became pregnant and the petitioner took the victim girl to the hospital for periodic check up. At the time, the Doctor ascertained the age of the victim girl to be below 18 years and hence, informed the Child Welfare Committee, Ariyalur about the same. Hence, the present case.

3. The learned counsel for the petitioner submitted that the petitioner is in an affair with the victim girl and that both the petitioner and the victim girl's parents are waiting for the victim girl to attain the age of majority. Once, the victim attains the age of majority, both parents will arrange marriage between the petitioner and the victim girl. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and, upon instructions, submitted that investigation is going on, hence, he opposed to grant anticipatory bail to the petitioner.



5. From the statement of the victim girl, which was recorded before the learned Magistrate on 11.02.2026, this Court could not find any allegation against the petitioner in respect of the sexual assault committed on the victim girl. Further, considering the submissions of the learned counsel for the petitioner that the petitioner and the victim girl are in a relationship and that their marriage will be arranged once the victim girl attains majority, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned Judicial Magistrate-I, Jeyankondam**, on condition that **the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only)**, with **two sureties each**, for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions:

(a) If the petitioner fails to surrender before the concerned learned Magistrate within a period of fifteen (15) days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



**C.KUMARAPPAN.J.**

Tsg

(b) The sureties shall affix their photographs and left thumb impression in the application for surety ship (Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of identify proofs to ensure their identity;

**(c) The petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;**

(d) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate actions against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]***;

(e) If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

**10.03.2026**

Tsg  
To

- 1.The Judicial Magistrate-I, Jeyankondam.
- 2.The Inspector of Police, All Women Police Station, Jayankondam, Ariyalur District,
- 3.The Public Prosecutor, High Court of Madras.

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