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CRL OP No. 7402 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 7402 of 2026

Krishnan
S/o. Ramasamy,
No.176, Chenkadu Theru,
Thangachiammapatti,
Oddanchatram Taluk,
Dindigul District – 624 612.

..Petitioner(s)

Vs

State Represented by
The Inspector of Police,
All Women Police Station,
Central, Coimbatore City.
Crime No.59 of 2025

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, to modify the condition imposed in the order dated 24-02-2026 made in Crl M.P. No.89 of 2026 on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore by reducing the bond amount from Rs.20,000 to Rs.10,000 and thus render justice.

For Petitioner(s):

Mr.B. Balaji

For Respondent(s):

Mr.Leonard Arul Joseph Selvam,
Additional Public Prosecutor

ORDER

The petitioner/accused in Crime No.59 of 2025 was arrested by the respondent police on 18.12.2025 for the offences under Section 9(1) and 10 of



POCSO Act, Section 9 of Prohibition of Child Marriage Act and Section 57 of BNS Act.

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2.The contention of the petitioner is that the petitioner and the victim in this case are closely related and hail from the same background and as per the family custom, the petitioner had married the victim, when she was a minor, which has been projected against the petitioner as though the petitioner had committed child marriage. Further that after the arrest of the petitioner, the respondent failed to file the charge sheet in this case and hence, the petitioner had filed a statutory bail application under Section 167(2) Cr.P.C., equivalent to Section 187(3) of BNSS Act.

3.The trial Court had granted statutory bail with certain conditions. The petitioner is aggrieved as regards condition (a) and condition (c) of the said order. The trial Court by the condition (a) had directed the petitioner to execute a bond for a sum of Rs.20,000 with two sureties, each for a like sum to the satisfaction of the trial Court and to produce the residential proof. However, the petitioner is unable to execute the surety as per the said condition. Thus, though bail was granted on 24.02.2026, the petitioner is still languishing in jail. The petitioner is also aggrieved by the condition (c) imposed by the trial Court vide the impugned order directing the petitioner to report before the respondent police daily at 10.30 a.m., and hence, seeks for modification of the said conditions.



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4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner and the victim are closely related. The petitioner is the uncle of the victim and the main complaint against the petitioner is that he has conducted child marriage by marrying the victim girl.

5. Considered the facts of the case and perused the materials available on record.

6. It is seen that the petitioner and the victim girl hail from the same background and that the petitioner is only working as a coolie. The trial Court by imposing such onerous conditions vide the impugned order has indirectly denied the benefit of bail to the petitioner. In view of the same, this Court is inclined to modify condition (a) of the said order as follows "*a) the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of this Court and produce his residential proof*" and condition (c) is modified as follows "*the petitioner shall report before the respondent police on every Sunday at 10.30 a.m., till the filing of the charge sheet and thereafter, the condition shall be automatically cancelled.*" The other conditions imposed by the trial Court by the impugned order shall remain unaltered.



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7.The Criminal Original Petition is disposed of accordingly.

24-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

TSG

Note: Issue order copy on 24.03.2026

To

1.The Inspector of Police,
All Women Police Station,
Central, Coimbatore City.
Crime No.59 of 2025.

2.The Principal Special Court for Exclusive Trial
of Cases under POCSO Act, Coimbatore.

3.The Superintendent of Central Prison,
Coimbatore.

4.The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

TSG

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