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Crl.O.P.No.14154 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2026

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THE HONOURABLE Mr. JUSTICE C.KUMARAPPAN

Crl.O.P.No.14154 of 2026

1. C.Vadivel
2. R.Arumugam
3. A.Kala

... Petitioners

Vs.

The State represented by its,
The Inspector of Police,
D6, Pothatturpet Police Station,
Pothatturpet, Tamil Nadu – 631 208.
(Crime No.73/2026)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on anticipatory bail in the event of arrest in Crime No.73 of 2026 on the file of the respondent Police.

For Petitioners : Mr.E.Sathya

For Respondent : Mr.N.Palanivel
Government Advocate (Crl.Side)

ORDER

The petitioners apprehend arrest for the alleged offences under Sections 9 and 11 of the Prohibition of Child Marriage Act, 2006 in Crime No.73 of 2026, on the file of the respondent police seek anticipatory bail.

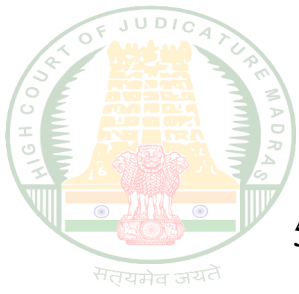


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2. The case of the prosecution is that, on 26.01.2026, the first petitioner allegedly married a child aged about 14 years at Bajanai Koil, Sundarama Kandigai Village, in the presence of elders from both families. Based on information received through the 1098 Child Helpline, the de-facto complainant, an Administrative Officer attached to the Sholinghur District Administration, lodged a complaint, which was initially registered as a Zero FIR in Crime No.124 of 2026 and, upon transfer, was taken up for investigation by the respondent Police in Crime No.73 of 2026. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the defacto complainant and they have been falsely implicated in this case. He further submitted that they are ready to abide by any conditions that may be imposed by this Court and ready to co-operate with the investigation. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the prosecution case and vehemently opposed to grant anticipatory bail to the petitioners.



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5. I have given my anxious consideration to either side submissions.

6. From the submissions made by the learned counsel appearing on either side and the materials available on record, it is seen that the allegations against the petitioners are under Sections 9 and 11 of the Prohibition of Child Marriage Act, 2006 and that there are no allegations attracting the provisions of the POCSO Act. The maximum punishment prescribed for the offences under Sections 9 and 11 of the Prohibition of Child Marriage Act, 2006 is two years. Therefore, considering the nature of the allegations levelled against the petitioners and the fact that no graver offence has been alleged, this Court is of the view that custodial interrogation of the petitioners is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the **learned District Munsif cum Judicial Magistrate, Pallipet** on condition that **the each of the petitioners 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

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the learned Magistrate concerned, and on further conditions:

(a) If the petitioners fail 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;

(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 petitioners shall report before the respondent Police daily 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 petitioners thereafter abscond, a fresh FIR can be registered under Section 269 of BNS Act.

22.06.2026

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To

- 1.The District Munsif cum Judicial Magistrate, Pallipet.
2. The Inspector of Police,
D6, Pothatturpet Police Station,
Pothatturpet, Tamil Nadu – 631 208.
- 3.The Public Prosecutor, High Court of Madras.



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C.KUMARAPPAN.J.

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