



CRL OP(MD). No.501 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/01/2026

PRESENT

The HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.501 of 2026

1. Maheshwari

2. Jeyakumar

3. Andivel ... Petitioners/Accused

Vs

State of Tamilnadu Rep by,
The Inspector of Police,
All Women Police Station,
Vadamadurai, Dindigul District.
Crime No.27/2025..

... Respondent/Complainant

For Petitioner : V.Muthu Samundeeswaran
Advocate.

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PRAYER :-

C-38AB For Anticipatory Bail in Crime No.27/2025
on the file of the respondent Police.

ORDER : The Court made the following order :-

1/6



CRL OP(MD). No.501 of 2026

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9 & 10 of Prohibition of Child Marriage Act and 5(1) 5(j) (ii) r/w 6 of POCSO Act, 2012, in Crime No.27 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that one Ganesan has forcefully married the 1st and 2nd petitioner's girl child aged about 16 years and the same was concealed by the petitioners. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offences as alleged by the prosecution. He further submitted that the petitioners are ready and willing to abide by any conditions which may be imposed by this Court. Hence, he seeks anticipatory bail to the petitioners.



CRL OP(MD). No.501 of 2026

4. The learned Government Advocate (Criminal Side) submitted that it is a case of child marriage. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Exclusive trial of cases under POCSO Act, Dindigul, within a period of fifteen days from the date on which the order copy is made ready and on further conditions that:

[a] the petitioners and the sureties shall affix their photographs and left



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CRL OP(MD). No.501 of 2026

thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall report before the respondent police as and when required;

[c]the petitioners shall not tamper with the 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 are 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



CRL OP(MD). No.501 of 2026

SCW 5560];

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[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

09.01.2026

PJL

TO

1. The Sessions Judge, Special Court for Exclusive trial of cases under POCSO Act, Dindigul.

2. The Inspector of Police,
All Women Police Station,
Vadamadurai, Dindigul District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.501 of 2026

S.SRIMATHY, J

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ORDER
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