



CRL OP(MD). No. 9918 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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(Criminal Jurisdiction)

Date : 08.06.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 9918 of 2026

Esakkiammal

...Petitioner/Accused

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Amathur Police Station
Virudhunagar District
(Crime No.143 of 2026)

...Respondent

For Petitioner : Mr.T.Selvan

For Respondent : Mr.N.Balasubramanian

Counsel for State of Tamil Nadu (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.143 of 2026 on the file of the respondent police.



CRL OP(MD). No. 9918 of 2026

ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehend arrest at the hands of the respondent for the offences punishable under Section 9,10 of Prohibition of Child Marriage Act, 2006 and Section 5(1) r/w.6 of POCSO Act in Crime No.143 of 2026 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused performed marriage of the minor victim girl with the accused. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him. The petitioner has nothing to do with the alleged crime. He would further submit that the name of the accused does not found place in the First Information Report. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that petitioner along with other accused performed marriage of the minor victim girl with the accused, hence he strongly opposed to grant anticipatory bail to the petitioner.

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CRL OP(MD). No. 9918 of 2026

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offences and also considering the fact that the name of the petitioner is not found place in the First Information Report and considering the allegation against the petitioner that the petitioner harboured the accused and this petitioner also appeared before the respondent police and co-operated for the investigation and also considering the fact that no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Sessions Judge, Special Court for POCSO Act Cases, Virudhunagar District at Srivilliputhur on condition that 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 Magistrate concerned and on further



CRL OP(MD). No. 9918 of 2026

conditions that:

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[b] the petitioner shall report before the respondent police on every Monday at 10.30 a.m., for a period of eight weeks.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 SCW 5560].



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CRL OP(MD). No. 9918 of 2026

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)
08.06.2026

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To

- 1.The Special Court for POCSO Act Cases,
Virudhunagar District at Srivilliputhur
- 2.The Inspector of Police,
Amathur Police Station
Virudhunagar District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No. 9918 of 2026
P. DHANABAL, J

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ORDER
IN
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