



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Seventh day of August Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.15363 of 2015

1 SARAVANAPANDI
2 THIRUPATHY
3 KALAIESWARI

... PETITIONERS/ACCUSED NO.1 TO 3

VS

THE STATE REP BY INSPECTOR OF
ALL WOMEN POLICE STATION,
THENI, THENI DISTRICT.
[CRIME NO. 23 OF 2015]

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.D.SELVANAYAGAM ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA GOVERNMENT ADVOCATE (CRL.SIDE)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

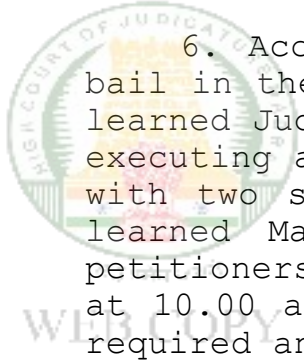
The petitioners who are arrayed as A1 to A3, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 9 and 10 of Tamil Nadu prohibition of Child Marriage Act, in Crime No.23 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the de-facto complainant she is only 16 years old girl and she is forced to marry the first accused on 29.06.2015.

3. Learned Counsel appearing for the petitioners submits that the parents of the de-facto complainant has arranged the marriage and they have also participated in the marriage ceremony and the alleged occurrence took place on 29.06.2015, but the complaint was given only on 23.07.2015, against the petitioners only and not against her parents. He further submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4. Heard the learned Counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the respondent.

5. Considering the submissions made by the learned Government Advocate (Crl.side) and also considering the fact, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Theni, Theni District, and each of them executing 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 condition that the petitioners 1 and 2 shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter as and when required and the third petitioner shall appear before the respondent police as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
07/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE, THENI, THENI DISTRICT.
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3.THE STATE REP BY INSPECTOR OF
ALL WOMEN POLICE STATION,
THENI, THENI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SELVANAYAGAM Advocate SR.No. 44778

2P/6C
TE/KBM/SAR-I 11/08/2015

ORDER
IN
CRL OP(MD) No.15363 of 2015
Date :07/08/2015