



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

Monday, the Thirtieth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.22089 of 2015

1 SUBRAMANI
2 CHELLAMMAL
3 MURUGESAN
4 GOVINDAN
5 KALAISELVI
6 KALA
7 SELVI
8 SEKAR
9 AMUTHA
10 SHANTHI
11 CHINNASAMY
12 MANJULA
13 NIRMALA
14 MURUGESAN

... PETITIONERS/ACCUSED No.2 to 15

Vs

THE SUB INSPECTOR OF POLICE,
THURAIYUR POLICE STATION,
TRICHY DISTRICT.
REF CRIME NO.367/2015

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S D.SHANMUGARAJA SETHUPATHI ADVOCATE
FOR RESPONDENT : MR.K.ANBARASAN, 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 accused Nos.2 to 15, in Crime No.367 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006 and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein are the parents and close relatives of A-1 and they have conducted marriage of A-1 with a minor girl Divya, contrary to the provisions of Child Marriage Act, 2006.

3.The case of the petitioners is that A-1 and the minor girl, who is the daughter of maternal uncle of A-1, were loved each other and they eloped and got married. The petitioners did not arrange the marriage and they are nothing to do with the marriage.



4. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

5. The learned Government Advocate(Crl. Side) on instructions submitted that the petitioners and others arranged marriage of A-1 with a minor girl contrary to the provisions of the Child Marriage Act, 2006. He further submitted that the minor girl is in Santhome Home, Mannarkulam, Trichy.

6. Considering the facts and circumstances of the case and also considering the fact that A-1 and the minor girl eloped and got married on their own on 21.05.2015 and now the minor girl is in Home, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Thuraiyur, Trichy District and on 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 shall appear before the respondent police as and when required for interrogation. 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/-
30/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, THURAIYUR.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE SUB INSPECTOR OF POLICE,
THURAIYUR POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.22089 of 2015
Date : 30/11/2015