



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

Wednesday, the Twenty Second day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15992 of 2017

MUTHU MARI

... PETITIONER/ACCUSED No.4

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.19 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

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

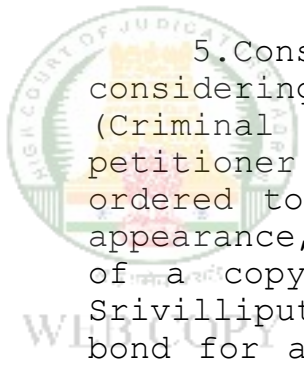
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.4, apprehends arrest at the hands of the respondent police for the offences punishable under Section 366(A) of I.P.C. r/w. Sections 3, 4, 5(1) and 6 of Protection of Children from Sexual Offences Act, 2012 and Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006, in Crime No.19 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the father of the defacto complainant/victim girl, namely, Pandiyalakshmi. With the consent of both the family members, the marriage was taken place between the defacto complainant, who is minor and her aunt's son, namely, Manikandan. Hence, some whistle blower gave a complaint to the child help line and the child help line secured the girl from the alleged husband house and registered a case against the alleged husband as well as his parents and the victim girl's parents.

3.The learned counsel for the petitioner submitted that the petitioner and the victim girl's mother-in-law are same village and are neighbours. He further submitted that with the consent of their parents marriage was performed without knowing the legal consequences.

<https://hcservices.eprints.org.in/hcservices/>
4.The learned Government Advocate (Criminal side) appearing for the State submitted that all the accused were enlarged on bail.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), I am inclined to grant anticipatory bail to the petitioner with certain conditions. 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 of receipt of a copy of this order, before the Fast Track Mahila Court, Srivilliputtur, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent police, as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial;

(iv) the petitioner shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
22/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDGE, FAST TRACK MAHILA COURT, SRIVILLIPUTTUR
- 2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.JOTHI BASU, Advocate SR.No.34925

ORDER
IN
CRL OP(MD) No.15992 of 2017
Date :22/11/2017