



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

Thursday, the Twenty First day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17621 of 2017

1 M.RAJU KUTTY @ RAJA
2 P.ESWARAN
3 MARIAMMAL @ MAREESWARI

... PETITIONER / ACCUSED 2-4

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SATTUR TOWN POLICE STATION,
IN CR.NO.288/2017
VIRUDHUNAGAR DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.MUTHALRAJ Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Cr1. Side)

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

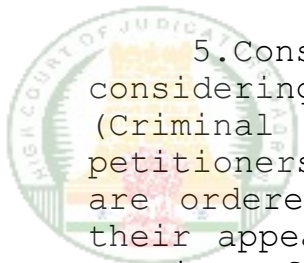
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.2 to 4, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 366 of I.P.C., r/w. Sections 9 and 10 of Child Marriage Act, 2006 and Sections 3 and 4 of POCSO Act, 2012, in Crime No.288 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant who is the father of the minor victim girl, made a complaint before the respondent police alleging that A1 kidnapped the defacto complainant's daughter and the petitioners herein, help A1 to kidnap his daughter and performed the marriage between A1 and the minor victim girl. Hence, the respondent police registered the case against the petitioners for the aforesaid offences.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. He would further submit that in fact A1 and the minor victim girl fell in love and married each other and the petitioners herein only attended their marriage.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that there is no specific overt act against the petitioners. He would further submit that the A1 was arrested and released on bail on 04.07.2017 in Cr1.M.P.No.908 of 2017.



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 petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Mahila Court, Srivilliputhur, Virudhunagar District, on condition that the petitioners 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 petitioners shall report before the respondent police, daily at 10.30 a.m., for a period of two weeks, and thereafter, as and when required for interrogation;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (iv) the petitioners shall not abscond either during investigation or trial;
- (v) the petitioners shall not commit any offence while on bail;
- (vi) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-

21/12/2017

/ TRUE COPY /

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

TO

- 1 THE MAHILA JUDGE,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
- 2 THE INSPECTOR OF POLICE,
SATTUR TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to M/S.S.MUTHALRAJ, Advocate, in SR No. 36702

ORDER IN

CRL OP(MD) No.17621 of 2017

Date :21/12/2017