



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

Friday, the Twelfth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CRL OP(MD) No.5805 & 5807 of 2017

1 BOOMINATHAN,
2 MUTHAIAH,
3 AMUTHA,

... PETITIONERS/ ACCUSED NO.4 TO 6
IN CRL OP(MD) NO.5805/2017

1 NALLAMMAL
2 SUBBAIAH
3 DEVI

...PETITIONERS/ACCUSED NO.1 TO 3
IN CRL OP(MD)NOI.5807/2017

Vs

THE STATE, REPRESENTED BY ITS,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.
(CR.NO.38/2017)

... RESPONDENT/ COMPLAINANT
IN BOTH THE PETITIONS

For Petitioner : M/S.K.SETHUPATHY Advocate
IN BOTH THE PETITIONS

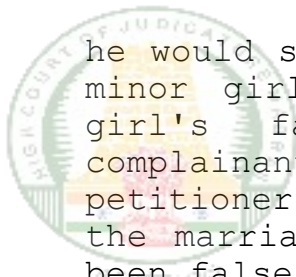
For Respondent : MR.S.P.BALASUBRAMANI Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners in Crl.O.P.(MD)No.5805 of 2017, who are arrayed as A-4 to A-6 and the petitioners in Crl.O.P.(MD)No.5807 of 2017, who are arrayed as A-1 to A-3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 9 and 11 of the Protection of Child Marriage Act, 2006, in Crime No.38 of 2017 on the file of the respondent police, seek anticipatory bail.

2. The learned counsel appearing for the petitioners would submit that the defacto complainant is the father of the minor girl and admittedly, the age of the minor girl is 17 years and the defacto complainant and A-1 are husband and wife and they are living separately and the minor girl is residing with her mother. Further,



he would submit that the petitioners have arranged marriage for the minor girl and due to the personal vengeance between the minor girl's father/defacto complainant and mother, the defacto complainant/father has foisted the false case against the petitioners and even after making the complaint, they have stopped the marriage and in order to harass the petitioners, the case has been falsely foisted against the petitioners.

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3. The learned Government Advocate (Crl. Side) would submit that the petitioners have arranged the marriage for the minor girl and due to that marriage, they have printed invitation cards and the marriage was fixed on 10.05.2017. Due to the complaint preferred by the father of the minor girl and First Information Report was registered on 08.05.2017 in Crime No.38 of 2017, the marriage has been stopped. Further, he has produced the invitation card and Birth Certificate of the minor girl.

4. On perusal of the Birth Certificate of the minor girl, namely, Nandhini, it shows that her date of birth is 22.11.1999 and she has not completed 18 years and hence, she is a minor. Further, on perusal of the invitation, it is seen that the petitioners have arranged the marriage for the minor girl to one M.Boominathan @ Satheesh, on 10.05.2017. Therefore, this Court is not inclined to grant Anticipatory Bail. Hence, the petitions are dismissed.

sd/-
12/05/2017

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

PMU
TO

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR, MADURAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.M.S.JEYAKARTHIK Advocate SR.Nos.22017, 22016

GJM/MSA/SAR-3-16.5.17-2P-5C

ORDER
IN
CRL OP(MD) No.5805 & 5807 of 2017
Date :12/05/2017