



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

Tuesday, the Eleventh day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) Nos.8697 and 8698 of 2017

1 NALLAMMAL
2 SUBBAIAH
3 DEVI

... PETITIONERS / ACCUSED NO.1 to 3
IN CRL OP(MD) No.8697 of 2017

1 BOOMINATHAN
2 MUTHAIAH
3 AMUTHA

... PETITIONERS / ACCUSED NO.4 to 6
IN CRL OP(MD) No.8698 of 2017

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR,
MADURAI DISTRICT,
(CRIME NO.38 OF 2017)

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

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

For Respondent : MR.A.RAMAR Additional Public Prosecutor
IN BOTH PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 9 and 11 of Protection of Child Marriage Act, 2006 in Crime No.38 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the 1st petitioner along with other accused have taken steps for marriage to their minor daughter, aged about 17 years.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He also submitted that marriage was stopped by the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that the petitioners are arrayed as A1 to A3 and A4 to A6 and invitations for the said



marriage have also been printed. He further submitted that investigation is pending.

5. Considering the facts and circumstances of the case and also taking note of the fact that the marriage to the minor girl was stopped, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Melur, on condition that the petitioners shall execute 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police daily at 10.30 a.m. until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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 as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560).

sd/-

11/07/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, MELUR.
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, MELUR, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.26446

ORDER IN

CRL OP(MD) Nos.8697 and 8698 of 2017

Date :11/07/2017