



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

Wednesday, the Eleventh day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.5601 of 2018

MAHESH

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP. BY
THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PUDUKKOTTAI, TUTICORIN DISTRICT.
IN CRIME No.4 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.KARMEGAM, Advocate for MATHURAM LAW ASSOCIATES

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

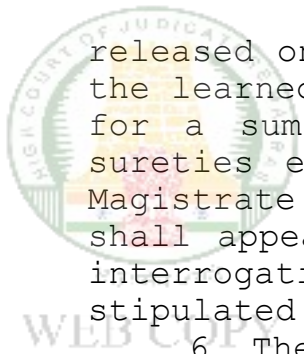
The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under Section 3 of Prohibition of Child Marriage Act, 2006, in Crime No.4 of 2018, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the petitioner and one Muniswari was solemnized on 05.05.2017 and after the marriage of one year, the Social Welfare Office Child Help line got the information on 12.03.2018 and visited to the petitioner's house and the said Muniswari got pregnant and enquired the said Muniswari and verified the certificate her age is only 17 years 6 months only. Hence, the case has been registered for the above said offences.

3.It is submitted by the learned counsel for the petitioner is that the respondent police willfully filed a false case against the petitioner without proper investigation and prays for anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Criminal side) has opposed grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of this case, this Court is 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 before the learned Judicial Magistrate-III, Tuticorin, and 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner 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 shall stand dismissed.

sd/-
11/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III,
TUTICORIN.
- 2 DO THOUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PUDUKKOTTAI, TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5601 of 2018
Date :11/04/2018

SDS/CM/GSR/17.04.2018/2P/5C