



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

Friday, the Twenty Fourth day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD) No.14964 of 2018

KUMARESAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
BODINAYAKANUR,
THENI DISTRICT.
(CRIME NO.7/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.KEVINKARAN Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioner apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9,10 and 10 of Prohibition of Child Marriage Act, 2006 and Section 5(1)& (6) of Protection of Child from Sexual Offences Act ,2012 of IPC in Crime No.7 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the marriage was arranged between the petitioner who is arrayed as A1 and the victim girl who was aged about 17 years. As the result of the same, complaint was lodged by the Social Welfare Officer against the petitioner and the parents and also the victim's mother. As a result of the complaint First Information Report has been lodged against four persons .

3. The learned counsel appearing for the petitioner would submit that only the marriage was arranged between the petitioner and the victim girl and the marriage did not actually take place. He would further submit that victim girl was continuously living with her parents.



4.The learned Additional Public Prosecutor would submit tht marriage was conducted on 27.10.2017 and based on the complaint given by the Social Welfare Officer, Madurai West, First Information Report came to be lodged in this case.

5.Taking note of the facts and circumstances and that the petitioner and the victim girl are relatives and the victim girl is continuously living with her parents, 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, No.I, Bodinayakanur and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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/-

24/08/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO-I,
BODINAYAKANUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
BODINAYAKANUR, THENI DISTRICT.

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

+1. CC to M/S.K.KEVINKARAN Advocate SR.No.14964
PS/JC/SAR-1:03/09/2018:2P/6C

ORDER

IN

CRL OP(MD) No.14964 of 2018

Date :24/08/2018