



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2019

WEB COPY

PRESENT

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

CRL OP(MD) . No.12154 of 2019

Parthiban,

... Petitioner/Accused No.1

Vs

State Rep by
The Inspector of Police,
Cumbum South Police Station, Theni
District
In Crime No.135 of 2019).

... Respondent/Complainant

For Petitioner : M/s. R. Balamuruganantham,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.135 of 2019 on the file of the respondent

ORDER : The Court Made the following order :-

1.Heard the learned counsel on either side.

2.The petitioner is in custody since 24.06.2019, for the offences under Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006, and Section 6 of Protection of Child from Sexual Offences Act, 2012. It appears that the petitioner got married to the victim, who was hardly aged 13 years. The other accused are parents on both side.

3.Taking note of all these aspects, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the



following conditions;

[a] the petitioner is ordered to be released on bail on his 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 District Fast Track Court, Theni, Theni District.

[b] the petitioner shall report before the respondent police as and when required for the interrogation.

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

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/09/2019

/ TRUE COPY /

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

TO

1. District Fast Track Court, Theni.
2. The Superintendent, Central Prison, Madurai.
3. The Inspector of Police,
Cumbum South Police Station, Theni District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.R.BALA MURUGANANTHAM, Advocate Sr. No. 14577

ORDER
IN

CRL OP(MD) No.12154 of 2019
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TR/PN/SAR-I (03.09.2019) 2P 6C

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