

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6783 of 2020

PALANI

[PETITIONER / ACCUSED]

Vs

THE STATE REP. BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION - PENNAGRAM,
DHARMAPURI DISTRICT.
CRIME NO.02/2020

For Petitioner : M/S. R.JOHN SATHYAN Advocate

For Respondent : M/S. S.KARTHIKEYAN Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 3, 4 and 16 read with 17 of the Protection of Children from Sexual Offences Act, 2012 and under Section 10 of the Prohibition of Child Marriage Act, 2006, in Cr.No.02 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the victim aged about 16 years. The defacto complainant's father deserted her mother and she and her sister was staying along with their mother. Whiles, one of her distant maternal uncle, who is arrayed as A3 in the case forcibly gave the defacto complainant in marriage with A1 son of A2. The petitioner herein is arrayed as A2.

3.Learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Additional Public Prosecutor vehemently opposed for grant of anticipatory bail to the petitioner. He would submit that the victim girl is a minor aged about 16 years. He would further submit that this petitioner is also responsible for solemnizing the marriage of the minor girl with A1 and would further submit that the other accused in this case have not moved any bail or anticipatory bail application.

5.Considering the strong objection raised by the learned Additional Public Prosecutor and the age of the victim minor girl and since this petitioner is also responsible for solemnizing the marriage of the minor girl with A1, this Court is not inclined to grant anticipatory bail to the petitioner.

6.This criminal original petition is accordingly dismissed.

-sd/-
23/03/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION - PENNAGRAM,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.JOHN SATHYAN Advocate on payment of necessary charges SR.No.5637

CRL OP.6783/2020

Date :23/03/2020

cs 05/06/2020

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