



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

Date : 02/07/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP(MD) . No.6943 of 2020

WEB COPY

1. Thangachamy
2. Ramuthai

... Petitioners/Accused Nos.2 & 3

Vs

State rep by the
The Inspector of Police,
Gandamanoor Police Station,
Gandamanoor Theni District
(Cr.No.119 of 2020).

... Respondent/Complainant

For Petitioners : M/s.K.Arunraj,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 119 of 2020 on the file of
the Respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 9,10,11
of Prohibition of Child Marriage Act 2006 and Sections 6 and 17 of
Protection of Child from Sexual offences Act seek anticipatory
bail.

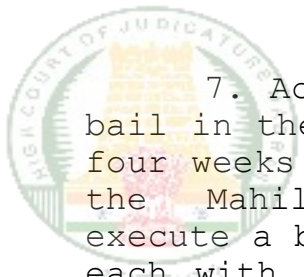
2. Heard both sides.

3. Earlier this Court has granted bail to A1 in Crl.O.P(MD)
No.6800 of 2020 on 29.06.2020 after persuing the CD file and 164
Cr.P.C statement of the victim girl.

4. The learned counsel for the petitioners would submit that
the petitioners herein are the parents of A1.

5. The learned Additional Public Prosecutor would submit that
A1 in this case was granted bail by this Court.

6.Taking into consideration the facts and circumstances of the
case and also taking note of the fact that A1 was released on bail
by this Court, this Court is inclined to grant anticipatory bail to
the petitioners with certain conditions.



7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the Mahila Court, Theni on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond 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 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

02.07.2020

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

AAV

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. The Mahila Court, Theni.

2. The Inspector of Police,
Gandamanoor Police Station,
Gandamanoor, Theni District

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.6943 of 2020

Date : 02/07/2020

VB SKN SAR 2 (03.07.2020) 3P 4C