



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

Date : 06/07/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.6993 of 2020

1. GOVINDARAJAN
2. KULLAMMAL
3. MUNIYAPPAN
4. SELVARANI

... PETITIONERS/ACCUSED NO.3 TO 6

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THOGAMALAI POLICE STATION,
KARUR DISTRICT
CRIME NO.277/2020.

... RESPONDENT/COMPLAINANT

For Petitioners : M/s.M.Karthikeyavenkitachalapathy,
Advocate.

For Respondent : Mr.M.Chandrasekaran,
Additional Public Prosecutor

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

PRAYER :-

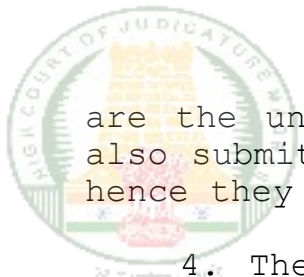
For Bail in Crime no.277 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners herein were arrested on 06.06.2020 for the alleged offence under Sections 5(1) and 6 of POCSO Act and Section 9 and 10 of the Prohibition of Child Marriage Act, 2006 of IPC.

2. The petitioners herein are arrayed as A3 to A6. The allegation against the petitioners is that A1 in this case got married to the victim, who is the minor aged about 17 years.

3. The learned counsel for the petitioners would submit that <https://hdsrves.equities.in/cases> 1 and 2 are the parents and petitioners 3 and 4



are the uncle and aunt of the of victim respectively. He would also submit that the petitioners are in jail for nearly 28 days and hence they may be granted bail.

4. The learned Additional Public Prosecutor would submit that initially a case was registered for 'Girl Missing' and after securing the victim, the case was altered into Sections 5(1) and 6 of POCSO Act and Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006.

5. Taking note of the above facts and circumstances of the case and also taking note of the relationship of the petitioners with the victim and also the fact that the victim girl is also secured, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on their executing 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 learned Additional Sessions Judge, Fast Track Mahila Court, Karur.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioners shall report before the respondent police as when required by the respondent police.

iii) the petitioners shall not tamper with evidence or witness.

iv) the petitioners shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

06/07/2020

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



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 ADDITIONAL SESSIONS JUDGE,
FAST TRACK MAHILA COURT, KARUR.
- 2 THE INSPECTOR OF POLICE
THOGAMALAI POLICE STATION,
KARUR DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4 THE OFFICER INCHARGE,
SUB JAIL, KARUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6993 of 2020
Date :06/07/2020

aav
JM/PN/SAR 2/07.07.2020/3P/6C