

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.05.2021

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CRL.OP.No.9259 of 2021

Saranraj

... Petitioner

Versus

The State of Tamil Nadu,  
Rep., by The Inspector of Police,  
Thiruthuraipoondi All Women Police Station,  
Tiruvarur District.  
(Crime No.4 of 2021) ... Respondent

**Prayer:-** Criminal Original Petition filed under Section 439 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in crime No.4 of 2021 pending investigation on the file of the Inspector of Police, All Women Police Station, Thiruthuraipoondi.

For Petitioner : Mr.N.Palanivel

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

**ORDER**

The petitioner, who was arrested and remanded to Judicial custody on 28.03.2021 for the offences punishable under Section 366 (A) of Indian Penal Code; Sections 5(1) and 6 of Protection of Children from Sexual Offences Act, 2012; and Section 9 of Prohibition of Child Marriage Act in Crime No.4 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the victim girl were in love and they got married.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he is in judicial custody from 28.03.2021 and prays for release of the petitioner on bail.

4.The learned Additional Public Prosecutor submitted that the investigation in this case is over and final report is also ready.

5.Taking note of the fact that the petitioner and the victim girl were in love with each other and the petitioner married the victim minor girl and also the fact that the petitioner is in

custody from 28.03.2021 and that the investigation in this case is over, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on 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 learned Sessions Judge, Fast Track Mahila Court, Tiruvarur, and on further condition that:

- a) 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 petitioner shall report before the respondent police daily at 10.30 am. until further orders.
- 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/-

13/05/2021

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

TRUE COPY

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

TO

1 THE SESSIONS JUDGE  
FAST TRACK MAHILA COURT, TIRUVARUR.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,  
THIRUTHURAIPOONDI ALL WOMEN POLICE STATION,  
TIRUVARUR DISTRICT.

4 THE OFFICER INCHARGE  
DISTRICT PRISON, NAGAPATTINAM.

CC to M/S N.PALANIVEL Advocate on payment of necessary charges

CRL OP.9259/2021

Date :13/05/2021

TA-17/05/2021



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