



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.10992 of 2021

1.Nallamuthu @ Natarajan  
2.Chidhra @ Chithra  
3.Senthilkumar

... Petitioners

Vs.

State by  
Inspector of Police,  
Arumbavoor Police Station,  
Perambalur District.  
(Crime No.381 of 2021)

... Respondent

**Prayer:**

Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.381 of 2021 on the file of Inspector of Police, Arumbavoor Police Station, Perambalur District.

For Petitioners : M/s.K.Balu

For Respondent : Mr.C.E.Pratap  
Government Advocate (Cr1. Side)

**ORDER**

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 9, 10 of Prohibition of Child Marriage Act, 2006 @ under Sections 9, 10 of Prohibition of Child Marriage Act, 2006 and Sections 5(i), 5(j)(ii), 5(n) r/w 6 of Protection of Children from Sexual Offences Act, 2012 in Cr.No.381 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are alleged to have performed marriage of A1 with victim girl who is a minor aged about 17 years. Since the victim is a minor girl, the case came to be registered. The petitioners are arrayed as A2 to A4.

3.The learned counsel appearing for the petitioners would submit that the petitioners, A1 and the victim girl are relatives and the marriage between A1 and victim was performed with the consent of both side and since the victim is a minor the case came to be registered



and further submitted that there are no other allegations levelled against the petitioners.

4. Heard the submissions made by the learned Government Advocate (Criminal Side).

5. This Court perused the statement of the victim girl recorded under Section 164 of Cr.P.C. There is no specific allegation made as against the petitioners. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Perambalur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties each for a like sum to the satisfaction of the respondent police or 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 Court concerned 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/-

01/07/2021

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

TRUE COPY



1 THE ADDITIONAL MAHILA COURT  
PERAMBALUR.

2 THE INSPECTOR OF POLICE,  
ARUMBAVOOR POLICE STATION,  
PERAMBALUR DISTRICT.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.K.BALU Advocate on payment of necessary charges  
SR.NO.6989

CRL OP.10992/2021

Date :01/07/2021

TA-16/07/2021