



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Fifteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16337 of 2021

ROJA

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY

[ RESPONDENT ]

THE INSPECTOR OF POLICE,  
PALLIKONDA POLICE STATION,  
VELLORE DISTRICT.  
CRIME NO.205 OF 2021.

For Petitioner : M/S. S.P.ARTHI Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 9, 10 and 11 of Prohibition of Child Marriage Act 2006 in Crime No.205 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant one Mrs.Vijayalakshmi who is working as a Rural Welfare Officer at Anaicut Taluk, Vellore District lodged a complaint against the petitioner is that the petitioner along with other accused persons had performed the marriage of minor girl aged about 16 years with one Suresh @ Settu..

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that the co-accused were already enlarged on bail by the Principal District Court, Vellore in Crl.MP.Nos.3005 and 3006 of 2021 dated 30.07.2021. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the co-accused were already enlarged on bail by the Principal District Court, Vellore in Crl.MP.Nos.3005 and 3006 of 2021 dated 30.07.2021.



5. Considering the fact that the co-accused were already enlarged on bail, this court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate-Additional Mahila Court, Vellore** on condition that the petitioner shall execute 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 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

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

(d) the petitioner 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 petitioner 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/-  
15/09/2021

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 JUDICIAL MAGISTRATE,  
ADDITIONAL MAHILA COURT, VELLORE.

2. THE CHIEF JUDICIAL MAGISTRATE  
VELLORE. [FOR INFORMATION]

3. THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4. THE INSPECTOR OF POLICE,  
PALLIKONDA POLICE STATION,  
VELLORE DISTRICT.

+1 CC to M/S. S.P.ARTHI Advocate on payment of necessary  
charges SR.NO.10112

CRL OP.16337/2021

Date :15/09/2021

TA-24/09/2021