



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

Date : 09/07/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No. 9074 of 2021

Nagamani @ Nagamanithai

... Petitioner/Accused No.6

Vs

The Inspector of Police,
Puliyangudi Police Station,
Tenkasi District.
Crime No. 128 of 2021.

... Respondent/Complainant

For Petitioner : Mr.T.Indrachithu,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.128 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 6 r/w 5(I), 17 of the Protection of Children from Sexual Offences Act, 2012 and Sections 9, 10, 11 of the Prohibition of Child Marriage Act, 2006 in Crime No.128 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 15.02.2021 at about 06.00 am., to 7.30 am., all the accused persons arranged marriage of the minor girl with one Singadurai and he had also physical relationship with her. The petitioner herein is A6 and marriage was taken place in the house of the petitioner. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. It is his further submission that this Court granted anticipatory bail to the co-accused and hence, he seeks anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the respondent police opposed this petition on the ground that



investigation is pending and this petitioner only made arraignments for the marriage and marriage was taken place in her house. Therefore, he seeks dismissal of this petition.

5.It is seen from the allegation made in FIR that the petitioner is the person, who made all arrangements for the forced marriage between A1 and the victim girl and the marriage was also taken place in her house, which shows active involvement of the petitioner herein. This Court granted anticipatory bail to the co-accused for the reason that she was not present in the place where the marriage had taken place and she also produced evidence to show that she was at Chennai at the time of marriage. The petitioner herein did not produce any materials to show that she was not present at the time of marriage. Material available clearly show that the marriage was conducted in the house of the petitioner with her active involvement. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
09/07/2021

/ TRUE COPY /

/ /2021
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 INSPECTOR OF POLICE,
PULIANGUDI POLICE STATION,
TENKASI DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9074 of 2021
Date :09/07/2021

GNS
AE/VR/SAR-III/13.07.2021/2P/3C