



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9835 of 2021

Kaleeshwaran

... Petitioner/Accused No.4

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Aundipatty,
Theni District.
In Crime No.5 of 2021.

... Respondent/Complainant

For Petitioner : Mr.D.Malaichamy, 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.5 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 9, 10, 11 of Prohibition of Child Marriage Act 2006 in Crime No.5 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the Child Welfare Officer of Theni has given a complaint against the petitioner and seven others alleging that the petitioner being the father of the minor child-Dhanalakshmi, aged about 13 years, arranged marriage for her child with A-1 on 07.04.2021 at Nariyuthu Village in the house of A1. The marriage was also solemnized.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case. He further submitted that the co-accused had already been arrested and remanded into judicial custody.



4.The learned Government Advocate (criminal side) for the respondent strongly opposed this petition on the ground that the victim girl is aged about 13 years and she is studied at 7th standard and A1 is aged about 30 years and the statement of the victim girl was also recorded under Section 164 of Cr.P.C.

5.Considering the facts and circumstances of the case and the fact that it is not a fit case for granting anticipatory, hence, this petition is dismissed.

sd/-

23/07/2021

/ 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,
ALL WOMEN POLICE STATION,
AUNDIPATTY,
THENI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.9835 of 2021

Date :23/07/2021

SJI

MK/SRS/SAR.II/27.07.2021/2P/3C