



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09.08.2021

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10941 of 2021

1.A.Kalavathy
2.V.Arjunan
3.Sivanammal
4.O.Jeyakumar

... Petitioners/Accused Nos.1 to 4

Vs

State Rep by
The Inspector of Police,
All Women Police Station,
Srirangam,
Trichy District.
In Crime No.17 of 2021

... Respondent/Complainant

For Petitioners : Mr.B.Jameel Arasu,Advocate

For Respondent : Mr.T.Senthilkumar
Government Advocate(Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.17 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 9 and 11 of Prohibition of Child Marriage Act, 2006 and Sections 5 (n), 5(i) r/w Sections 6(1) and 17 of Protection of Children from Sexual Offences Act, 2012 in Crime No.17 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners conducted child marriage between the victim girl Nandhini, aged 17 years and one Jeyakumar. The petitioners are the parents of the victim and Jeyakumar. Hence, the complaint.



3. The learned counsel for the petitioners submits that the victim girl and Jeyakumar are relatives and they were in love with each other. Hence, the petitioners arranged marriage between them.

4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent Police.

5. Considering the fact that the petitioners are the parents of the victim and Jeyakumar and that the victim and Jeyakumar were in love with each other, this Court is inclined to grant anticipatory bail to the petitioners and hence, this petition is allowed.

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 District Munsif cum Judicial Magistrate, Srirangam, Trichy 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 Magistrate concerned and on further conditions that:

[a]the petitioners and 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 petitioners shall report before respondent police as and when required, until further orders.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[d]the petitioners shall not abscond either during investigation or trial.

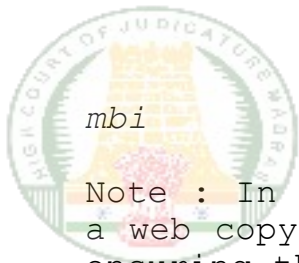
[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f]If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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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 DISTRICT MUNISIF CUM
JUDICIAL MAGISTRATE,
SRIRANGAM ,
TRICHY
- 2 DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE
TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SRIRANGAM,
TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10941 of 2021
Date :09/08/2021

PKP/JM/SAR1/19/08/2021/3P/5C