



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15.09.2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . Nos.12944 & 13147 of 2021

Chinnaiah ... Petitioners/Accused No.1
in Crl.O.P.(MD).No.12944 of 2021
1.Vellaisamy
2.Saraswathi ... Petitioners/Accused No.2 & 3
in Crl.O.P.(MD).No.13147 of 2021

Vs

State Rep. by
The Inspector of Police,
AWPS Thirupatur P.S.,
Sivagangai District.
(Crime No.02/2021). ... Respondent/Complainant
In both petitions

(in both cases)

For petitioners: Mr.R.Raghaev
Advocate.

For Respondent : Mr.T.Kottai Samy
Government Advocate (Crl.Side)

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

COMMON PRAYER :-

For Anticipatory Bail Crime No.02 of 2021 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 9 & 10 of Prevention of Child Marriage Act, 2006, in Crime No.02 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.04.2021, marriage was solemnized between the victim girl, who is aged about 17 years

<https://hcservices.ecourts.gov.in/hcservices/>



and the A1 Chinnaiah, who is aged about 31 years by their parents. Hence, a complaint has been lodged by a Women Welfare Officer, Tiruppatur.

3.The learned counsel for the petitioners submitted that the A1 is completely deaf and dumb and A2 and A3 are their parents, who are senior citizens and daily wagers. He would also submit that believing that the victim girl is aged above 18 years, A1 has accepted for the marriage.

5.The learned Government Advocate submits that the victim is aged about 17 years and she was also produced before the learned Judicial Magistrate concerned. Statement under Section 164 Cr.P.C. of the victim has also been recorded. It reveals that the a forcible marriage was conducted by the petitioners.

6.Considering the nature of allegations levelled against the petitioners and the seriousness of the offence, this Court is not inclined to grant anticipatory bail to the petitioners in both petitions.

7.Accordingly, these criminal original petitions are dismissed.
sd/-

15/09/2021

/ TRUE COPY /

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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,
THIRUPPATHUR POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER

IN

CRL OP (MD) . Nos.12944 &
13147 of 2021

Date :15/09/2021