



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

Date : 12/10/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.15800 of 2021

Fathima Mary

... Petitioner/Accused No.2

Vs

State rep. by
The Inspector of Police,
All Women Police Station,
Sivagangai,
Sivagangai District.
Crime No.26/2021.

... Respondent/Complainant

For Petitioner : Mr.Solaisamy.M,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER : For Anticipatory Bail in Crime No.26 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent police for the offences punishable under sections 9, 10 & 11 of Prohibition of Child Marriage Act r/w Sections 7 & 8 of Protection of Child from Sexual Offences (POCSO) Act, in Crime No.26 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 09.09.2021, the defacto complainant namely Kasthuri, who is working as a Welfare Officer received a complaint that the petitioner and her relatives have conducted the marriage of the child namely Regina Mary, who is aged about 15 years with one Royappan. Hence, the case has been registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution.



4.The learned Additional Public Prosecutor, appearing for the respondent police submitted that the victim girl is aged about 15 years. The marriage between the victim girl and the first accused was performed in the presence of the petitioner. Hence, her custodial interrogation is necessary.

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5.considering the facts and circumstances of the case and also considering the rival submission and gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioner.

6.In the result, this Criminal Original Petition stands dismissed.

sd/-
12/10/2021

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/ /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,
SIVAGANGAI,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.15800 of 2021
Date :12/10/2021

vsd/csm
MS/PN/SAR-3/20.10.2021/2P.3C