



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

Date : 17/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.17844 of 2021

WEB COPY

1. Chellammal,

2. Sannamal,

3. Krishnan,

... Petitioners/Accused Rank
Not Known

Vs

State Rep. By
The Inspector of Police,
All Women Police Station, Keeranur,
Pudukkottai District.
(In Crime No.17/2021).

... Respondent/Complainant

For Petitioners: Mr.Sekar.B
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

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

PRAYER :-

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

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of
the respondent police for the offence punishable under Sections 9 &
11 of Prohibition of Child Marriage Act in Crime No.17 of 2021 on
the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first accused married
the victim girl with the aid of the petitioners and made repeated
sexual assault. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits
that first accused and the victim girl are close relatives and that
the petitioners are the parents of victim girl and the first
accused. The first accused was arrested and released on bail.
Hence, he prays for grant of anticipatory bail to the petitioners.

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

4.The learned Additional Public Prosecutor appearing for the



respondent police submits that the first accused and the victim girl are close relatives and the petitioners had performed their marriage.

5. Admittedly, the first petitioner is the mother of victim girl and the second & third petitioners are the parents of the first accused. Considering the nature of charges levelled against the petitioners and also the fact that the main accused, ie., the first accused was arrested and released on bail by this Court, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Magistrate, Keeranur, Pudukkottai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned 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 the respondent Police Station daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

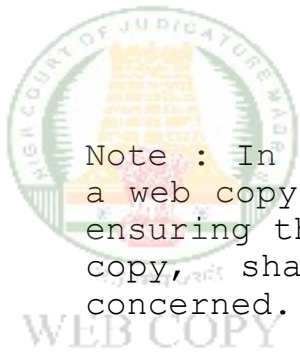
(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down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

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
17/11/2021

/ 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 JUDICIAL MAGISTRATE,
KEERANUR, PUDUKOTTAI.
- 2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KEERANUR,
PUDUKKOTTAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-8267[I] dated 18/11/2021)

ORDER
IN
CRL OP(MD) No.17844 of 2021
Date :17/11/2021

SB/JC/SAR-I/23.11.2021/3P/6C