



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

Date : 25/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.18524 of 2020

WEB COPY

Parveen Banu

... Petitioner/3rd Accused

Vs

The State represented by
The Inspector of Police,
All Women Police Station,
Aranthangi, Pudukottai District.
Crime No.10/2021.

... Respondent/Complainant

For Petitioner : Mr.T.LENIN KUMAR, Advocate.

For Respondent : Mr.R.MEENAKSHI SUNDARAM
Additional Public Prosecutor

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

PRAYER :- For Anticipatory Bail in Crime No.10/2021 on the file of the Respondent Police.

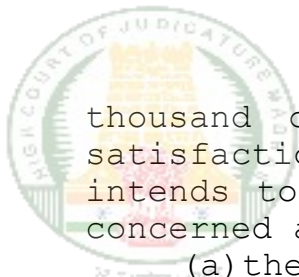
ORDER : The Court made the following order :-

The petitioner/accused No.3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(n), 5(1), 5(j)(ii) of the Protection of Children from Sexual Offences Act, 2019 and Section 9, 11 of Child Marriage Act, 2006 in Crime No.10 of 2021, seeks anticipatory bail.

2.The learned counsel for the petitioner would submit that the accused A1,A2, A4 and their relative one Jalath Banu were granted anticipatory bail in CrI.O.P.(MD)No.12308 of 2021 vide order dated 31.08.2021. He would further submit that the petitioner, without the knowledge about the age of her daughter, arranged marriage to her with the second accused. Subsequently, a child was born to them.

3.Considering the facts and circumstances of the case and also the facts that the other co-accused including the main accused were granted anticipatory bail by this Court in CrI.O.P.(MD)No.12308 of 2021 and that the present petitioner is the mother of the victim girl, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Mahila Judge, Pudukkottai on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five



thousand only) 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 condition that:

(a) the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

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

(d) the petitioner 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/-

25/11/2021

/ 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 JUDGE, MAHILA COURT, PUDUKOTTAI.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARANTHANGI, PUDUKOTTAI DISTRICT.

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

ORDER IN

CRL OP(MD) No.18524 of 2021

Date : 25/11/2021

SA/VR/SAR.3/02.12.2021/2P/4C

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