



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/12/2021
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . Nos.18708 and 18712 of 2021

Nagarajan

... Petitioner/Accused No.1
In Crl.OP(MD)No.18708 of 2021

1.Jeyajothi
2.Moorthi

... Petitioners/Accused Nos.2 & 3
in Crl.OP(MD)No.18712 of 2021

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Manapparai,
Trichy District.
(Crime No.28 of 2021).

... Respondent/Complainant
In Both Petitions

IN BOTH PETITIONS:

For Petitioners: Mr.K.KEVIN KARAN,
Advocate.

For Respondent : Mr.SS.MADHAVAN,
Government Advocate (Crl.Side)

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

COMMON PRAYER :- For Anticipatory Bail in Crime No. 28 of 2021 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9 & 11 of Prohibition of Child Marriage Act, 2006, in Crime No.28 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the first accused married the victim girl, with the aid of other accused persons and committed sexual assault. Hence, the complaint.

3.The learned counsel for the petitioners would submit that there was arranged marriage performed between the victim girl and the first accused and no one made a complaint, but however based on

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



the complaint given by the Social Welfare Officer, this case has been registered. He would further submit that the victim will attain majority in January 2022.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the marriage has been performed with the victim girl, who was 17 + at the time of marriage, she was secured and handed over to the Social Welfare Officer. Then, she was kept in home and thereafter the victim was handed over to her parents and now she is in her parents home.

5.Considering the facts and circumstances of this case, age of the victim girl, investigation is almost completed, this Court is inclined to grant anticipatory 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, before the learned Judicial Magistrate No.I, Manapparai and on their executing 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
06/12/2021

/ 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, MANAPPARAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.



3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAPPARAI,
TRICHY DISTRICT.

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

+2. CC to M/S.KEVIN KARAN.K. Advocate SR.No.8928,8929

ORDER

IN

CRL OP(MD) . Nos.18708 and
18712 of 2021

Date :06/12/2021

SA/VR/SAR.2/09.12.2021/3P/7C