



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/12/2021

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.20615 of 2021

Sivachidambaram

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Keeranur All Women Police Station,
Keeranur,
Pudukkottai District.
(Crime No.19 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Sundar R,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.19 of 2021 on the file of the Respondent Police.

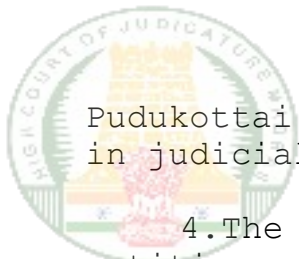
ORDER : The Court made the following order :-

The petitioner/Accused No.1, who were arrested on 16.11.2021 for the alleged offence under Section 379 of IPC and Sections 342, 506(i) of IPC, r/w Sections 5(1), 6(1) of the Protection of Child From Sexual Offences Act, 2012 and Sections 9 & 11 of the Prohibition of Child Marriage Act, 2006, in Crime No.19 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused have forcibly arranged and performed the marriage between the petitioner and the victim girl, who is aged about 17 years. On the complaint of the victim, the case was registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has nothing to do with the alleged offence. He would further submit that the Mahila Court,

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



Pudukottai had granted bail to the co-accused and the petitioner is in judicial custody from 16.11.2021.

4.The learned Additional Public Prosecutor submitted that the petitioner along with other accused have forcibly arranged and performed the marriage between the petitioner and the victim girl. After the marriage, the petitioner herein harassed the defacto complainant by demanding additional dowry. He would further submit that the major part of the investigation has been completed.

5.On reading of the entire records shows that there was no forcible marriage performed between the petitioner and the victim and because of the some matrimonial dispute, the present complaint has been registered and more than a year they were living happily and the learned counsel for the petitioner has produced some photographs, which have been taken at the time of marriage, before this Court wherein, the petitioner and the victim are very close.

6.Considering facts and circumstances of this case, the period of incarceration and the grant of bail to the co-accused, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Mahila Court, Pudukkottai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

8.Without getting proper permission from the concerned Court the petitioner shall not leave the country and also should produce the Passport before the concerned Court.

sd/-

22/12/2021

/ TRUE COPY /

22/12/2021

Sub-Assistant Registrar (C.S.III)
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



TO

- 1.The Judge,
Mahila Court, Pudukkottai
- 2.The Superintendent,
District Prison,
Pudukkottai.
- 3.The Inspector of Police,
Keeranur All Women Police Station,
Keeranur,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.20615 of 2021
Date :22/12/2021

RS/PN/SAR3(22.12.2021) 3P-5C