



2. The First Information Report indicates that the minor girl was given married to the first accused by consent of both parents. When the girl was admitted in hospital for her pregnancy, the doctors have noticed that the girl is under age and reported to the authorities which had led to registration of the complaint.

3. The 164 Cr.P.C. statement of the victim girl indicates that she married the first accused with the consent of their parents. Though she is under age neither the marriage nor the family life led with the first accused was by compulsion, only on her own wish, she loved and married the first accused.

4. Considering age of the victim girl, which is found in the 164 Cr.P.C., statement as 17 years and considering the facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Jayamkondan, on condition that each of the petitioners 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 learned Magistrate, failing which, the anticipatory bail shall stand cancelled and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the Investigating Officer 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

10/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, JAYAMKONDAM.

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
(ALL WOMEN POLICE STATION,
JAYAMKONDAM) .

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.R.SUBRAMANIAN Advocate on payment of necessary charges SR.NO. 4522 & 4523

CRL OP.NOS.4030 & 4085/2022

Date :10/03/2022

RW 21/03/2022