



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6053 of 2022

1 VENKATESAN
2 V.MAHALAKSHMI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NEIVELY THERMAL POLICE STATION,
NEIVELY.
CRIME NO.269/2021.

[RESPONDENT]

For Petitioner : M/S.G.SARAVANABHAVAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

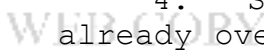
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the alleged offences under Girl missing @ Section 366(A), 344, 452 of IPC r/w Sections 5(1), 6, 13, 14 and 17 of POCSO Act and Section 9 and 10 of Child Marriage Act, in Crime No.269 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein are uncle and aunty of the first accused, against whom the First Information Report was given by the father of the victim, alleging that the first accused enticed his minor daughter and took her forcibly. The girl was secured subsequently based on the complaint dated 02.08.2021.

3. The statements of the witnesses indicates that the victim girl and the first accused had an affair for nearly three years and this girl eloped with the first accused and got married with the help of the petitioners herein. The prosecution has collected the birth certificate of the victim girl and also recorded the 164



६३.५ : प्रमेय ५२८

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 ***Special Court for POCSO cases, Cuddalore***, 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 canceled and on further condition that:

(b) the petitioners shall report before the Investigating Officer as and when required.

(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 55601***; and;



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

WEB COPY

-sd/-
16/03/2022

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 SPECIAL COURT FOR
POCSO CASES, CUDDALORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
NEIVELY THERMAL POLICE STATION,
NEIVELY.

+1 CC to M/S.G.SARAVANABHAVAN Advocate on payment of necessary charges SR.NO.4089

CRL OP.6053/2022

Date :16/03/2022

TA-22/03/2022