



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6314 of 2022

NITHYANANDHAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
AWPS PALLADAM,
TIRUPPUR DISTRICT.
(CR.NO.4 OF 2022)

[RESPONDENT]

For Petitioner : M/S.C.S.SARAVANAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 9 of Child Marriage Restraint Act, 1929, in Crime No.4 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehend arrest by the respondent police in Crime No.4 of 2022 wherein the organisers of child line has given a complaint that one 15 years old girl likely to be married to the petitioner herein. Based on the said complaint, the case has been registered under Section 9 of Child Marriage Restraint Act, 1929.

3. On perusal of the 164 statement of the victim girl indicates that there was no proposal for such marriage. Therefore, this court is of the view that the custodial interrogation is not required.

4. In view of the above facts, this Court is inclined to grant anticipatory bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palladam, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Fifty 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:

(a) the petitioner 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 petitioner shall report before the Investigating Officer 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 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.

-sd/-

24/03/2022

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,
PALLADAM, TIRUPPUR DISTRICT.



2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION PALLADAM,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.C.S.SARAVANAN Advocate on payment of necessary
charges SR.No.4572

CRL OP.6314/2022

Date :24/03/2022

CSK 29/03/2022