



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7908 of 2022

Sabari

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Pennagaram,
Dharmapuri District.
(Cr.No.2 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner/accused on bail in connection with the Cr.No.2 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Gandhi Kumar

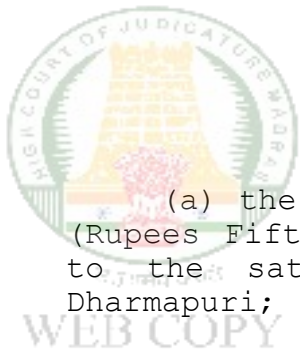
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner herein is the 1st accused in a case registered by the respondent in Crime No.02 of 2022 for the alleged offences under Sections 9, 11 of Prohibition of Child Marriage Act of 2006 and Section 5(1) r/w 6 of POCSO Act 2012.

2. The petitioner was arrested on 01.03.2022 on the complaint that he has married a minor girl aged 13 years. The respondent police has recorded the 164 statement of the victim girl and the investigation is substantially completed.

3. In the light of the above fact, the petitioner is ordered to be released on bail subject to the following conditions;



(a) the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Fast Track Mahila Court, Dharmapuri;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the Investigating Officer as and when required;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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];

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

-sd/-
05/04/2022

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 FAST TRACK MAHILA COURT,
DHARMAPURI.

2 THE OFFICER INCHARGE,
SUB JAIL, DHARMAPURI.



3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PENNAGARAM, DHARMAPURI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S K.GANDHI KUMAR Advocate on payment of necessary
charges SR.NO. 5188

CRL OP.7908/2022

Date :05/04/2022

RW 06/04/2022