



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Thirteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.8574 of 2022

GAYATHRI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MKB NAGAR, CHENNAI
(CRIME NO.6/2022)

[RESPONDENT]

For Petitioner :M/S V.VARGEES AMAL RAJA Advocate(IN CRL.OP.8574/2022)
M/S R.SASIKUMAR Advocate(IN CRL.MP.6259/2022)

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)
(IN CRL.OP.8574/2022)
MR.R.KISHORE KUMAR, Govt. Advocate (Crl. Side)
(IN CRL.MP.6259/2022)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under **(*)Section 9 of child marriage Act** in Crime No.6 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein is the mother of minor girl, who is aged about 17 years. On information that minor girl is said to be given marriage, the CWC members reported the mother to the respondent police and the marriage scheduled to be solemnise on 06.02.2022 was dropped. The mother of the minor girl seeking anticipatory bail states that due to love affair, the parents of the bride and bride groom decided to solemnise the marriage on 06.02.2022, however that was aborted due to the intervention of the de facto complainant on 03.02.2022, having realised that child marriage is prohibited, they are ready to wait till the minor girl attains majority and abide by any condition.

3. In the light of the above fact, this Court is inclined to grant anticipatory bail to the petitioner.



4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **(*)THE ADDITIONAL MAHILA COURT, EGMORE, CHENNAI** on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer as and when required for interrogation;

(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 petitioner in accordance with law as if the conditions has 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]; and;

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

-sd/-

13/04/2022

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.

(*) AMENDED AS PER ORDER OF THE COURT DATED 19/05/2022 MADE IN CRL.MP.6259/2022 BY The Hon'ble Mr Justice G.K. ILANTHIRAIYAN



**(*) 1 THE ADDITIONAL MAHILA COURT,
EGMORE, CHENNAI**

2 THE SPECIAL COURT FOR POCSO
CASES, SESSIONS JUDGE, CHENNAI

3 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MKB NAGAR, CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S V.VARGEES AMAL RAJA Advocate on payment of necessary
charges

CC to M/S R.SASIKUMAR Advocate on payment of necessary charges
Sr.7332

CRL OP.8574/2022

Date :13/04/2022

RVR 21/04/2022

RVR 24/05/2022