



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10725 of 2022

VICKY @ VIGNESH

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
TIRUVANNAMALAI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CRIME NO.3698/2020.

[RESPONDENT]

For Petitioner : M/S.E.SATHIYARAJ Advocate

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)

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 Sections 366A of IPC @ 366 A, 376(i) of IPC and Section 3(a), 4 of Protection of Children from Sexual Offence Act, 2012 and Section 9 of Child Marriage Act, in Crime No.3698 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.It is seen from the submission of the learned counsel appearing for parties and also from the statement of victim girl recorded under section 164 of Cr.P.C that, victim girl was in love with one Shabeer. It is also seen from the 164 statement that the victim girl willingly married the Shabeer. After marriage, victim girl went along with Shabeer to his friends house at Thirukovil and then to Erode and then to Thiruppur.

3. It is also seen from the 164 statement that, the victim girl had loved Shabeer on her own and married him.



4. The first accused was arrested and released on bail. The petitioner is fourth accused and he is roped in this case since he was the friend of the first accused.

5. Taking into the above said factual aspects into considerations, this Court is of the view that custodial interrogation of the petitioner is not necessary. Thus, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 Judicial Magistrate - I, Tiruvannamalai, on condition that the petitioner shall execute a bond for sum of Rs.25,000/- (Rupees Twenty Five 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 daily at 10.30.a.m., until further orders;

(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.

WEB COPY

-sd/-

06/05/2022

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, TIRUVANNAMALAI.

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

3 THE INSPECTOR OF POLICE,
TIRUVANNAMALAI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.E.SATHIYARAJ Advocate on payment of necessary charges SR.NO. 6835

CRL OP.10725/2022

Date :06/05/2022

RW 12/05/2022