



CrI.OP.No.17874 of 2022

CrI.O.P.No. 17874 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 9, 10 and 11 of the Prohibition of Child Marriage Act, 2006 in Crime No. 163 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the 1st accused married the victim girl aged about 17 years and it is an arranged marriage. It is the further case of the prosecution is that after receiving the complaint from the Village Administrative Officer, the respondent police has registered a case as against the petitioners.

3. The learned counsel for the petitioners would submit that the petitioners had arranged the marriage with the first accused and the victim girl. He would further submit that they are ready to abide by any stringent conditions that may be imposed on them. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that it is an arranged marriage by the parents. A1 is husband of the victim girl. A2 and A3 are mother and aunt of A1. A4 and A5 are parents of the



Crl.OP.No.17874 of 2022

victim girl. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Mettur, Salem, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the 3rd petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation and the petitioners 1, 2 and 4 shall report before the respondent police as and when required for interrogation.



CrI.OP.No.17874 of 2022

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[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 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

29.07.2022

Lpp

G.K.ILANTHIRAIYAN, J.



WEB COPY



CrI.OP.No.17874 of 2022

Lpp

CrI.O.P.No. 17874 of 2022

29.07.2022