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Crl.OP.No.19441 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.19441 of 2022

Iniyavan

..Petitioner

Vs.

State rep by,
Inspector of Police,
All Women Police Station, Thiruvarur,
Thiruvarur District.
(Crime No.13 of 2022)

..Respondent

PRAYER:- Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.13 of 2022 pending on the file of the respondent.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.07.2022 for the offence under Sections 6 r/w 5(I) of the Protection



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of Children from Sexual Harassment Act – 2012 r/w 9 of Prohibition of Child Marriage Act in crime No.13 of 2022 on the file of the respondent police, seeks bail.

2. On perusal of the statement recorded under Section 164 of Cr.P.C. revealed that the petitioner and the victim girl fell in love and they got married. On the complaint lodged by the parents, they were secured and the petitioner was arrested and remanded to judicial custody. They had stayed together for 4 weeks.

3. The learned counsel appearing for the petitioner submitted that the petitioner is ready and willing to register his marriage with the victim girl immediately after attainment of her majority.

4. Considering the above submissions, this Court is inclined to grant Bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related



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sureties, each for a like sum to the satisfaction of the **learned Session Judge, Fast Track Mahila Court, Thiruvarur** and on further conditions that:-

[a] 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 petitioner shall report before the respondent police as and when required for interrogation.

[c] the petitioner shall register his marriage with the victim girl immediately after attainment of majority and produce the marriage registration certificate before the respondent police on or before 25.10.2022, failing which the bail stands automatically cancelled and the respondent police is directed to secure the petitioner and proceed in accordance with Law.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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 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.**



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State of Kerala [(2005)AIR SCW 5560].

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

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mpl

To

- 1.The Session Judge, Fast Track Mahila Court, Thiruvarur.
- 2.The Inspector of Police,
All Women Police Station, Thiruvarur,
Thiruvarur District.
- 3.District-Prison,
Thiruvarur.
- 4.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

mpl

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