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Crl.O.P.Nos.23439, 23458, 23459 & 23461 of 2022

A.D.JAGADISH CHANDIRA.J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 366 A of IPC and Section 9 and 10 of Prohibition of Child Marriage Act in Crime No.192 of 2022, seek anticipatory bail.

2. The case of the prosecution is that A1 had kidnapped the minor victim girl from the lawful guardianship and performed child marriage with her in the presence of his relatives/petitioners and that he had committed penetrative sexual assault on her. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are sister, brother, sister in law and mother of A1 respectively. He would submit that there was a love affair between A1 and the victim girl and A1 had eloped with the victim girl without the knowledge of petitioners whereas, the defacto complainant, who is the mother of the victim had foisted a false case against the entire family as



if the petitioners had performed child marriage of the defacto complainant's daughter. He would submit that A1 in this case has been arrested and released on bail and the custodial interrogation may not be required. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the petitioners are relatives of A1. Further, A1 had kidnapped the victim from the lawful guardianship and performed child marriage in the presence of petitioners and had committed penetrative sexual assault on her. He would submit that A1 has been arrested and released on bail. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking note of the facts and submission made by the learned counsel and also taking note of the fact that A1 in this case has been arrested and released on bail and the petitioners are only relatives of A1, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, 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 made ready, before the **learned XVII Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioners shall execute a separate bond for a 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, 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 petitioners shall report before the respondent police every day at 10.30 am for a period of one week and thereafter as and when required for interrogation.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

