



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/01/2022

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PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.483 of 2022

1. Amutha,

2. Malaisamy,

... Petitioners/Accused Nos. 2 & 3

Vs

The State Rep. by,
The Inspector of Police,
All Woman Police Station,
Aundipatti,
Theni District.

... Respondent/Complainant

For Petitioner : Mr.C.Susi Kumar, Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.1 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 7 & 8 of Prohibition of Child Marriage Act 2006 and 294(b) and 506(i), in Crime No.1 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant was studying 1st year at Theni Nadar Saraswathi College, the first accused namely Balasaravanan, who is the son of the petitioners, become friends through social Media. On 09.09.2021 at about 1.00 p.m., the first accused met the defacto complainant and informed his willingness to marry her and forcibly taken some intimidated photos. Subsequently, he tried to misuse the photos. Thereafter, the defacto



complainant informed the same to her parents, the defacto complainant's parents went to the first accused house and told the petitioners to warn their son, at that time the petitioners abused them in filthy language and also criminally intimidated them. Therefore, the present case came to be registered.

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3.The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that no previous case is pending against these petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the specific overt act against these petitioner is that the petitioners abused the defacto complainant's parents in filthy language and also criminally intimidated them and he would further submit that no previous case is pending against this petitioner

5.Considering the facts and circumstances of the case and also the limited role that has been alleged by these petitioners, this Court is inclined to grant bail to the petitioners, however, with stringent conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Mahila Court, Theni, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned; and the petitioner shall appear before the respondent police on every Saturday at 10.30 am until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
12/01/2022

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/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

