



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 03/02/2022
PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.2082 of 2022

Vinothkumar

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Ottanchatram,Dindigul District.
In Crime No.02/2022

... Respondent/Complainant

For Petitioner : Mr.V.Karuna, 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.02/2022 on the file of the Respondent Police.

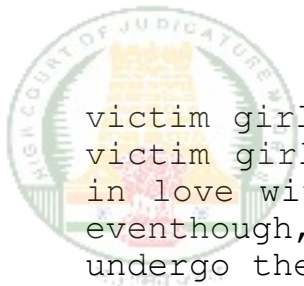
ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 9 of Child Marriage Restraint Act in Crime No.02 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that marriage was arranged between the victim girl who is a minor and the accused person. A complaint was given by the Social Welfare Officer, Oddanchathiram, wherein he stated that on information, he made enquiry and from the enquiry, it was known that on 08.09.2021, in a temple, the victim girl and the accused planned to get married, without informing the parents of both sides. When that was brought to the notice of the parents of both sides, they separated them giving assurance that after completion of 18 years of age to the victim girl, they can perform a legal marriage. On the basis of the above said information, this case was registered.

3.The learned counsel for the petitioner submitted that he went to the victim girl's house only for the purpose of giving the Sridhana articles and except that nothing happened.

4.The learned Additional Public Prosecutor would submit that it is a case of a minor girl who is a victim of the offence under Section 304B of the Indian Penal Code. The learned Additional Public Prosecutor would submit that the investigation and the enquiry. It is seen that the



victim girl and as well as the petitioner are close relatives. The victim girl is the daughter of the petitioner's sister. They were in love with each other. Both have been separated by the parents, eventhough, the marriage has been performed. The petitioner has to undergo the process of investigation and trial.

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5. Considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Mahila(Mahalir) Fast Track Court, Dindigul District, on condition that the petitioner shall execute 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, once in a month at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

03/02/2022

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/ /2022

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

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.

TO

- 1 THE MAHILA (MAHALIR)
FAST TRACK COURT, DINDIGUL DISTRICT.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, OTTANCHATRAM,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.2082 of 2022

Date :03/02/2022

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