



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) . No.9794 of 2022

WEB COPY

1. Panchavarnam

2. Kaliappan

... Petitioners/Accused
(Ranks not known)

Vs

The State rep.by,
The Inspector of Police,
Samayanallur Police Station,
Madurai District.
(Crime No.104/2022).

... Respondent/Complainant

For Petitioners : M/s.Saravanakumar.P, Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.104 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 366 IPC, Sections 5(i), 6, 16, 17 of POCSO Act, 2012 and Sections 9 and 10 of Prohibition of Child Marriage Act, 2006, in Crime No.104 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the victim girl, aged about 16 years was kidnapped, married and also sexually assaulted by the first accused. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are only the parents of first accused.

4. During the course of investigation, the victim has not stated anything about the involvement of the petitioners. The respondent Police also appeared before this Court and stated that the victim girl eloped with the first accused and both lived for some time. The first accused is arrested and remanded in custody.



5. Considering the limited role played by the petitioner and the petitioners are only the parents, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Vadipatti on condition that the petitioners shall execute a 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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/-

04/08/2022

/ TRUE COPY /

/08/2022

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

PNM

TO

1. THE JUDICIAL MAGISTRATE, VADIPATTI

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
SAMAYANALLUR POLICE STATION,
MADURAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.KALAIYARASI BHARATHI, Advocate SR.No.35978 (F)

ORDER

IN

CRL OP(MD) No.9794 of 2022

Date : 04/08/2022

RK/SVR/SAR-I (11/08/2022) 2P/6C