



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 23/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.9886 of 2022

WEB COPY

Vadivel

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Tirunelveli (Rural)
(Crime No.7 of 2022)

... Respondent/Complainant

For Petitioner : M/s.V.Angusamy, Advocate.
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

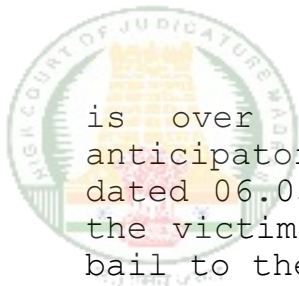
For Bail in Cr.No.7 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who were arrested on 12.04.2022 for the alleged offence under Sections 366 of IPC and 5(1), 5(n) and 6 of the POCSO Act and Section 9 and 10 Prohibition of Child Marriage Act, in Crime No.7 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl is aged about 14 years, she is the close relative of the petitioner and that they were in love with each other for about 1½ years. Since, it was not accepted by their family members, on 06.03.2022 the petitioner had induced the victim girl and on the promise of marriage, had taken her to grandfather house. Thereafter, the elders of the village people have performed the marriage on 07.03.2022. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner and the victim girl are close relatives and that they were in love with each other. Since, it was not accepted by their family members, without understanding the consequences, the petitioner had eloped with the victim girl and they were living as husband and wife. He would submit that the petitioner was arrested on 12.04.2022 and he has been in judicial custody for the past two months. He would further submit that the major part of investigation



is over and also would submit that this Court had granted anticipatory bail to the co-accused in Crl.O.P(MD).No.7530 of 2022 dated 06.05.2022. He would further submit that he is ready to marry the victim girl, when she attains 18. Hence, he seeks for grant of bail to the petitioner.

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4.The learned Additional Public Prosecutor submitted that the major part of the investigation has been completed and the victim girl has been secured and sent to the observational home.

5.Considering the facts and circumstances of this case, most of the investigation might have been over and the grant of anticipatory bail to the co-accused, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Special Court for POCSO Act Cases, Thirunelveli, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

23/06/2022

/ TRUE COPY /

23/06/2022

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 JUDGE, SPECIAL COURT FOR POCSO ACT CASES, TIRUNELVELI.
- 2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, TIRUNELVELI(RURAL), TIRUNELVELI.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-6010[I] dated 23/06/2022)

ORDER IN

CRL OP(MD) No.9886 of 2022
Date :23/06/2022

RS/PN/SAR.4 (23.06.2022) 2P-6C

<https://hcservices.ecourts.gov.in/hcservices/>