



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/06/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.9908 of 2022

1. Karuthakannan
2. Muthupillai
3. Kattusamy
4. Petchiammal

... Petitioners/Accused No.3 to 6

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Usilampatti,
Madurai District.
Crime No.9/2022.

... Respondent/Complainant

For Petitioners : Mr.S.Balaji,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-For Anticipatory bail in Crime No.9/2022 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 366(A) IPC @ into Sections 9, 10 of Child Marriage Act and Sections 7, 8 POCSO Act, r/w Section 5(L) and 6 of POCSO Act, in Crime No.9 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused have arranged and tried to perform the marriage between one Selvam and the minor victim girl. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioners.

4.The learned Additional Public Prosecutor submitted that the
<https://www.mtc.gov.in/judis> 1 was proposed to marry one Nagaraj/A1, which was not



liked by her parents and they arranged and performed the marriage with one Selvam. Thereafter, the victim girl left from his house and went to Nagaraj's house, for which, a trouble arose between the Nagaraj's family and the victim girl's family. The said Nagaraj arrayed as first accused and the victim parents were also arrayed as accused. He would further submit that the investigation has been completed and the final report is made ready and the same is yet to be filed before the concerned Court and the medical examination of the victim girl was over and she is now in the observation home.

5. On perusal of 164 Cr.P.C statement has been recorded from the victim girl. It is stated that the parents of the victim girl were already arrested and they were released on bail.

6. Considering the facts and circumstances of the case and the nature of allegation levelled against these petitioners and also the fact that the investigation has been completed and the final report is made ready, this Court is inclined to grant anticipatory bail to the petitioners, however, with stringent conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate No.I, Usilampaati, Madurai District, and on their executing 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 on every Saturday at 10.30 am until further orders. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. 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/-

21/06/2022

/ TRUE COPY /

/07/2022

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 JUDICIAL MAGISTRATE NO.I,
USILAMPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, USILAMPATTI,
MADURAI DISTRICT.

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

+1. CC to MR.S.BALAJI, Advocate SR.No.5904.

ORDER

IN

CRL OP(MD) No.9908 of 2022

Date :21/06/2022

TTA

MK/PN/SAR.II/06.07.2022/3P/6C