



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11230 of 2022

Sudalaimani @ Mahesh

... Petitioner/1st Accused

Vs

The State Rep.by
The Inspector of Police,
All Women Police Station,
Sankarankovil.
Crime No.8 of 2022..

... Respondent/Complainant

For Petitioner : Mr.Selvan T,
Advocate.

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

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

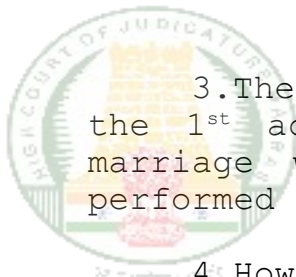
PRAYER :-

C-58B. For Bail in Crime No.8 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is the 1st accused, was arrested and remanded to judicial custody on 18.05.2022 for the offences punishable under Section 366 IPC, Section 6 r/w Section 5(1), 5(j)(ii), 17 of Protection of Children from Sexual Offences Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 @ under Section 6 r/w Section 5(1), 5(n), 5(j)(ii), 17 of Protection of Children from Sexual Offences Act, 2012 and Section 9 and 10 of Prohibition of Child Marriage Act, 2006, seeks bail.

2.The case of the prosecution is that the victim girl, who is aged about 17, married the 1st accused on 08.12.2021. After that, they were living together and the victim girl has become pregnant. She was admitted in the hospital. At the time of treatment, finding that she was aged about 17, on the basis of the information received from the concerned hospital, the District Social Welfare Officer lodged a complaint, based upon which a case has been registered.



3.The learned counsel appearing for the petitioner submits that the 1st accused is the maternal uncle of the victim girl. The marriage was arranged at the level of their parents and also performed with the consent of the victim girl.

4.However, it is seen that on the date of the alleged marriage, the victim girl was below 18. So, the investigation has to be undertaken to its logical conclusion and the trial must be carried out.

5.However, considering the duration of the custody of the petitioner, this court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his 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 Sessions Judge, Special Court for POSCO Act Cases, Tirunelveli and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
24/06/2022

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24/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

To

- 1.The Sessions Judge,
Special Court for POSCO Act Cases,
Tirunelveli.
- 2.The Superintendent, Central Jail,
Palayamkottai, Tirunelveli.
- 3.The Inspector of Police,
All Women Police Station, Sankarankovil.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.11230 of 2022
Date :24/06/2022