



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 27/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11408 of 2022

Ammavasi @ Alagarsamy ... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.132 of 2022). ... Respondent/Complainant

For Petitioner : M/s.Susi Kumar C, Advocate.

For Respondent : M/s.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.132 of 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 Section 450 I.P.C and Section 5(1), 5(j) (ii) r/w. Section 6 of Pocso Act, 2012 in Crime No.132 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. It is a case of child marriage between the A1 and victim girl and due to which, the victim became pregnant and she was also admitted in the hospital for delivery and delivered a baby, but, subsequently, the baby died. Based upon which, a case has been registered.



3. The learned counsel for the petitioner submitted that the victim girl and A1 loved each other and that was objected by the parents of the victim and that they are went to Chennai and lived their some time. Later, at the time of delivery she returned to village and admitted in the Natham Government Hospital and after delivery, the baby died. In such circumstances, a case has been registered stating that on the date of alleged marriage, the victim was minor.

4. The learned Government Advocate (Crl. Side) for the respondent police referred 163 Statement of the victim and submitted that the victim is not physically fit for transporting to the Court.

5. Taking into account the statement of victim girl, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the Mahila Fast Track Court, Dindigul, 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 daily 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/-
27/06/2022

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

TRP



TO

1. THE JUDGE, MAHILA FAST TRACK COURT,
DINDIGUL.
2. THE INSPECTOR OF POLICE,
NATHAM POLICE STATION,
DINDIGUL DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.11408 of 2022
Date :27/06/2022

SP/SVR/SAR I/30/06/2022/3P/4C