



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13/07/2022
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.11775 of 2022

1. G.Raja
2. Govindharaj @ Govindarasu
3. Nachiyammal
4. Kumar
5. Chitra ... Petitioners/Accused (A-1 to A5)

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Kulithalai,
Karur District.
Cr.No.20/2022.

... Respondent/Complainant

For Petitioners : M/s.DHAMODHARAN.T,

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Cr.No.20/2022 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 9 and 10 of Prohibition of Child Marriage Act, 2006, in Crime No.20 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on getting information the defacto complainant/Child Welfare Officer lodged a complaint stating that on 23.06.2022 at about 7.00AM the victim girl was married to the first accused, in the presence of their parents and



elders. On information, enquiry was conducted by the complainant and found that age of the victim girl was below 18 years at the time of marriage.

3. The learned counsel for the petitioners submitted that due to sickness of the first accused's parents, marriage was held between the victim and the first accused. Hence, prays to release them on anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the victim has given a statement before the learned Judicial Magistrate No.II, Kuzhithalai stating that she has not attained 18 years on the date of marriage. The first accused's parents were ill and within their life time, they wanted to perform marriage of their son. Only on that ground, their marriage was performed on 23.06.2022. After the complaint, the victim girl has been sent to Government Home and later she restored in her aunt's house.

5. Perusal of records reveals that from the statement of the victim, there is no allegation made against the accused persons. Considering the facts and circumstances of the case and nature of charges levelled against the petitioners, that the petitioners are not having any previous case at their credit, 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 No.II, Kulithalai, 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/-

13/07/2022

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/07/2022

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



TO

1 THE JUDICIAL MAGISTRATE NO.II
KULITHALAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KULITHALAI,
KARUR DISTRICT.

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

+1. CC to M/S.DHAMODHARAN.T., Advocate SR.No.7012 (I)
Date:13/07/2022

ORDER

IN

CRL OP(MD) No.11775 of 2022
Date :13/07/2022

SA/VR/SAR.2/20.07.2022/3P/6C