



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/07/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.12822 of 2022

1. Ponnathal
2. Karuppasamy
3. Rani

... Petitioners/Accused Nos.2 to 4

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station, Tirumangalam,
Madurai District.
Crime No.20 of 2022.

... Respondent/Complainant

For Petitioners : Mr.D.S.Haroon Rasheed,
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.20 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 9 and 10 of Child Marriage Act, 2006 and Sections 5 (1), 5(j)(ii) and 6 of Protection of Child From Sexual Offences Act, 2012 in Crime No.20 of 2022 on the file of the respondent police.

2.The case of the prosecution is that on the basis of the intimation received from the Government hospital, the defacto complainant, who is the Social Welfare Officer, made an enquiry and from the enquiry, it was found that the victim girl, who is aged about 17, was married to one Manichamy, who is A1, on 16.07.2021.

3.Because of the aforesaid marriage, they were living together and she became pregnant and admitted in the hospital on 26.06.2022. Based upon the aforesaid intimation, the defacto complainant lodged a complaint, over which the case has been registered. A male child was born to the victim girl. The victim girl was taken by the



petitioners 2 and 3, who are the parents and the 1st petitioner is the mother of the 1st accused.

4. Since the 1st accused has been arrested and remanded to judicial custody, considering the limited overt act that has been attributed against the petitioners herein and also considering the fact that the victim girl and the 1st accused were living together for about one year and a male child was also born to them, this Court is inclined to grant anticipatory bail to the petitioners.

5. 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 Special Court for POCSO Act Cases, Madurai 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.

6. 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 shall stand dismissed.

sd/-

15/07/2022

/ 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 JUDGE,
SPECIAL COURT FOR POCSO ACT CASES, MADURAI.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TIRUMANGALAM,
MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.12822 of 2022

Date :15/07/2022