



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

Date : 01/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13863 of 2022

WEB COPY

1. Shanmugadevar
2. Sudali @ Chellammal ... Petitioners/Accused Nos.8 & 9

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Tirunelveli Rural.
Cr.No.7/2022. ... Respondent/Complainant

For Petitioners : M/s Angusamy.V, Advocate.
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.7/2022 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 366 IPC and 5(1), 5(n) and 6 of the POCSO Act and Sections 9 and 10 of Prohibition of Child Marriage Act, in Crime No.7 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the victim aged about 15 years fell in love with A1 from December 2021 and on promising to marry her, they were stated to have eloped on 06.03.2022 and thereafter, on 07.03.2022 in the presence of parents and village elders they have married at the temple. On receipt of the complaint of the Social Welfare officer, the present case has been registered.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He would further submit that A1 to A3 have been released on bail in Crl.O.P(MD)No.9886 of 2022, dated and Crl.O.P(MD).No.7530 of 2022, dated 06.05.2022 respectively.



4.The learned Government Advocate (Crl. Side) re respondent police submitted that the investigation of the case is pending.

5.Considering the limited role taken by the petitioners and that the co-accused have been released on bail, 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 Special Court for POCSO Act Cases, Thirunelveli, 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/-

01/08/2022

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/08/2022

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

TO

1 THE JUDGE, SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI DISTRICT.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
TIRUNELVELI RURAL, TIRUNELVELI.

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

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-7981[I] dated 02/08/2022)

ORDER IN

CRL OP(MD) No.13863 of 2022

Date :01/08/2022

TRP

RS/JM/SAR.3 (18.08.2022) 2P-5C

<https://www.mhc.tn.gov.in/judis>