



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

Date : 04/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14119 of 2022

WEB COPY

1. N.Pon Raj
2. Karuppayee
3. T.Subramanian
4. S.Pappa

... Petitioner/Accused No.A2 to A5

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Srivilliputhur,
Virudhunagar District.
Crime No.15 of 2022.

... Respondent/Complainant

For Petitioners : M/s.PR.Boomee Rajan, 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.15 of 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 5(i), 5(j)(ii) r/w 6, 16, 17 of POCSO Act, 2012 and Sections 9 and 11 of Prohibition of Child Marriage Act, 2006, in Crime No.15 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the victim girl who was aged about 15 years was admitted in Government Hospital, Ilanthaikulam Village for her pregnancy. On enquiry of Social Welfare Office, the victim has stated that the victim was in love affair with the petitioner and in the year 2021, their marriage was performed by their parents and now she was pregnant. Hence, the complaint was lodged by the Social Welfare Officer.

3.The learned counsel for the petitioners submitted that the petitioners are only the parents of victim and the first accused.



4.Considering the limited role played by the petitioner and the petitioners are only the parents, 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 learned Special Court for the Exclusive Trial of Protection of Children from Sexual Offences Act 2012 cases (POCSO), Srivilliputhur, Virudhunagar District 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 Judge 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 Judge 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/-

04/08/2022

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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 THE EXCLUSIVE TRIAL OF
PROTECTION OF CHILDREN FROM SEXUAL OFFENCES
ACT 2012 CASES (POCSO), SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, SRIVILLIPUTHUR,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.PR.BOOMEERAJAN, Advocate (SR-8201[I] dated 05/08/2022)

ORDER IN

CRL OP(MD) No.14119 of 2022

Date :04/08/2022

PNM

<https://www.mh.judis.org/> (12.08.2022) 2P-5C