



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

Date : 01/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14774 of 2022

1. Vivek,
2. Vanitha,
3. Murugeswari, ... Petitioners/Accused Nos. 1 to 3

Vs

State Rep.by
The Sub Inspector of Police,
All Women Police Station,
Uthamapalayam,
Theni District
(Crime No. 19 of 2022). ... Respondent/Complainant

For Petitioners : Mr.K.Chengiz Khan, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 19 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners are facing charges under Sections 9, 10 of Protection of Child Marriage Act, 2006 and 5(j)(ii) r/w 6, 17 of Prohibition of Child from Sexual Offences Act, 2012, in Crime No.19 of 2022 on the file of the respondent police.

2.The case of the prosecution is that when the victim girl was admitted to the hospital for delivery, an intimation was sent to the



Social Welfare Department and on the basis of the aforesaid copy that was made by the concerned official, the complaint has been registered. The victim girl has stated that her father died and her mother is also attending the coolie work. So, on the basis of the aforesaid circumstances, she married the 1st accused and after that, they were living together as husband and wife and she became pregnant. Now, a child was also born. The victim girl was present before this Court and has stated that only these petitioners are taking care of her.

3. On the basis of the aforesaid undertaking, this Court is inclined to grant anticipatory bail to the petitioners.

4. 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 Fast Track Mahila Court, Theni, 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 am., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. If any violation of the undertaking is noticed, then the respondent police is at liberty to take appropriate action against the petitioners even without reference to this Court.

5. 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/-
01/09/2022

/ TRUE COPY /

/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MM

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,
FAST TRACK MAHILA COURT, THENI.
- 2 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
UTHAMAPALAYAM,
THENI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.14774 of 2022
Date :01/09/2022

PKP/SBN/SAR-2/13.09.2022/3P/4C