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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.15734 of 2022

Sathishkumar

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.168/2022).

... Respondent/Complainant

For Petitioner : M/s.Arun.A.V, 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.168 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections Girl Missing @ 5(1)(n) r/w 6 of POCSO Act, 2012 and Sections 9 and 10 of Prohibition of Child Marriage Act, 2006, in Crime No.168 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 29.05.2022, the victim girl was found missing. In spite of search, the defacto complainant could not find out the victim. Originally the case has been filed under Girl Missing.

3.From the investigation, it reveals the fact that due to illness of the grandfather, the first accused married the victim



girl against her consent and the marriage was arranged by family members. The said marriage was not liked by the victim, since she developed some intimacy with the sixth accused and she eloped with him. The victim again married the A6 on 03.06.2022 and lived with him. Later, the victim was secured from the house of A6.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Apart from this petitioner, all other accused persons were enlarged on bail.

5.The learned Government Advocate (Crl.Side) submitted that the victim was secured from the house of A6 and the co-accused were already enlarged on bail.

6.Considering the facts and circumstances of the case, the circumstance under which marriage was performed between the petitioner and victim girl and the second marriage of the victim girl with A6, this Court is inclined to grant anticipatory bail to the petitioner with the following condition.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioner 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/-
01/09/2022

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



- TO
1. THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM,
SIVAGANGAI DISTRICT.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
 3. THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.15734 of 2022
Date :01/09/2022

SP/SVR/SAR II/14/09/2022/3P/5C