



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 20/09/2022
PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.16849 of 2022

Suruliandi

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Bodinayakanur,
Theni District.
(Crime No. 22 of 2022)

... Respondent/Complainant

For Petitioner : M/s.MUTHU SAMUNDEESWARAN V, Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

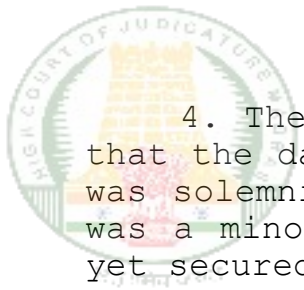
PRAYER :- For Anticipatory Bail in Crime No.22 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 9 and 10 of Prohibition of Child Marriage Act and Section 5 J (ii), 5(k), 5(l), 5(n) and 6 of POCSO Act, in Crime No.22 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the Chief Doctor (Gynecology), Government Hosptial, Cumbum, came to know that Boommkka @ Trisha is below the age of 18, on perusal of the Aadhar Card produced at the time of admission made in the Gynecology Department to give birth and she has been married with the first accused and the same was consummated by their parents as well as the petitioner. The victim girl gave birth to a female child on 08.09.2022. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a relative of both the victim and her husband. He is an innocent person and he did not commit any offence as alleged by the prosecution.



4. The learned Government Advocate (Criminal Side) would submit that the date of birth of the victim is 10.06.2004 and the marriage was solemnized on 05.01.2022. At the time of marriage, the victim was a minor. He would further submit that the victim girl is not yet secured as on date and the investigation is still pending.

5. Considering the seriousness and gravity of the offence committed by the petitioner and on considering the age of the victim and also the fact that the victim girl is not yet secured, this Court is not inclined to anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
20/09/2022

/ TRUE COPY /

/10/2022
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 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
BODINAYAKANUR,
THENI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.16849 of 2022
Date : 20/09/2022

cp
SA/GB/SAR.2/30.09.2022/2P/3C