



WEB COPY

CRL OP(MD). N



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

Date : 16/11/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.20294 of 2022

1. P.Parvathi

2. S.Ganapathy

... Petitioners/Accused
Rank Not Known

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station,
Alangulam Police Station,
Tenkasi District.
(Cr No.16/2022).

... Respondent/Complainant

For Petitioner : M/s.Saravana Kumar C,
Advocate.

For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Cr No.16/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 6 r/w 5(1)(j)(ii) of Protection of Child From Sexual Offences Act - 2012, Section 9 of Prohibition of Child Marriage Act - 2006, subsequently altered to Sections 6 r/w 5(1)(j)(ii) of Protection of Child From Sexual Offences Act - 2012, Section 9 and 10 of Prohibition of Child Marriage Act - 2006, in Crime No.16 of 2022 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that marriage was performed between the first accused and the victim girl, by coming to know their love affair and the victim got pregnant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that the victim girl and the 1st accused have love affairs for the past three years. A1 was already released on bail.

5. Considering the overt act attributed against the petitioners and A1 in this case has 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 Sessions Judge, (Special Court for POCSO Act Cases), Tirunelveli, 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/-

16/11/2022

/ TRUE COPY /

/11/2022

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 SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ALANGULAM POLICE STATION,
TENKASI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.SARAVANAKUMAR, Advocate (SR-13097[I] dated
16/11/2022)

ORDER
IN
CRL OP(MD) No.20294 of 2022
Date :16/11/2022

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USK/SSS/SAR-I/22.11.2022/3P/5C