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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/11/2022

PRESENT

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

CRL OP(MD) . No.20496 of 2022

1. Seyam
2. Amsu

... Petitioners/Accused 2 & 3

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Usilampatti,
Madurai District.
(Crime No.24/2022).

... Respondent/Complainant

For Petitioners : M/s.Balaji S, Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.24/2022 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 offences punishable under sections 9 and 10 of Prohibition of Child Marriage Act and 5(d), 6 of POCSO Act, in Crime No.24 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein have forcibly arranged the marriage of the defacto complainant's minor sister,, who is aged about 16 years. Hence, the compliant.



3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case.

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4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that totally five accused involved in this case and the petitioners herein are arrayed as A2 and A3 and they are father and mother of victim girl. He would further submit that the victim is aged about 16 years and she is now three months pregnancy and her 164 Statement also recorded. He would further submit that the investigation of the case is pending and he strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the submission made by the learned Government Advocate (Crl. Side) appearing for the respondent and also considering the serious nature of allegations made against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
18/11/2022

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/11/2022
Sub-Assistant Registrar (C.S.III)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
USILAMPATTI,
MADURAI DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.20496 of 2022
Date :18/11/2022

SP/VR/SAR III/25/11/2022/2P/3C