



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

Date : 22/11/2022

PRESENT

WEB COPY

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

CRL OP(MD). No.20619 of 2022

1. Chandran
2. Dhanalakshmi
3. Mahalakshmi

... Petitioners/Accused Nos.2 to 4

Vs

The State Rep. By,  
The Inspector of Police,  
All Women Police Station,  
Madurai District.  
(Crime No.16 of 2022)

... Respondent/Complainant

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

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

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

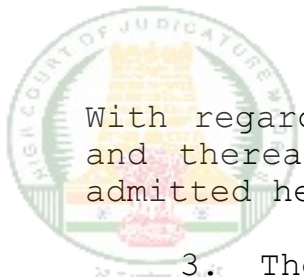
PRAYER :-

For Anticipatory Bail in Crime No.16 of 2022 on the file of the  
Respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the  
respondent police for the offences punishable under Sections 5(1), 6  
of Protection of Child from Sexual Offences Act and Section 9 and 10  
of Prohibition of Child Marriage Act in Crime No.16 of 2022, seeks  
anticipatory bail.

2. The case of the prosecution is that the de-facto  
complainant, who is the Social Welfare Officer gave a complaint  
before the respondent police stating that the victim girl, who is  
aged about 15 years, was married to the first accused. Thereafter,  
the girl was secured and after giving proper advice to the  
petitioners 1 and 2, who are the parents of the victim girl, the  
girl was sent along with them. On 20.01.2022, the petitioners 1  
and 2 themselves took the victim girl to the first accused's house  
and asked her to live with the first accused in his house.



With regard to this, the victim girl herself called the child welfare committee and thereafter, the child welfare committee rescued the girl and admitted her in a home. Hence, the present complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, they may be granted anticipatory bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners and another accused performed the marriage between the victim girl, who is aged about 15 years and the first accused without her willingness. He would further submit that in the statement recorded under Section 164 Cr.P.C., the victim girl has implicated the petitioners and the offences committed by the petitioners are very serious in nature and the investigation in this case is not yet completed. Hence, he strongly opposed for grant of anticipatory bail.

5. Considering the seriousness and gravity of the offence committed by the petitioners and considering the age of the victim girl and also taking note of the statement given by the victim girl under Section 164 of Cr.P.C, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

22/11/2022

/ TRUE COPY /

/12/2022

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

TO

1. THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
MADURAI DISTRICT.

2. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.20619 of 2022

Date : 22/11/2022

cp

USK/BUC/SAR-IV/08.12.2022/2P/3C