



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/12/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.22648 of 2022

WEB COPY

1. Pounraj,
2. Ayyammal,
3. Alaguraja,
4. Pandiyammal, ... Petitioners/Accused Nos. 2 to 5

Vs

State Rep.by
The Inspector of Police,
Devadanapatti Police Stdation,
Theni District.
Crime No.334 of 2022.. ... Respondent/Complainant

For Petitioner : M/s.Gokul K, Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

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

PRAYER :-

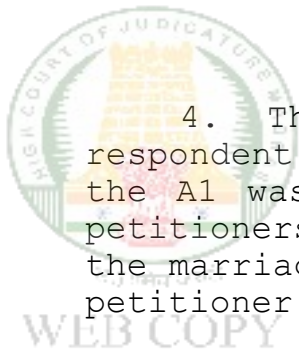
For Anticipatory Bail in Crime No.334 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 9, 10 and 11 of Prohibition of Child Marriage Act, 2006 and Sections 5(j)(ii), 6, 17 of Protection of Child from Sexual Offences Act, in Crime No.334 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a love affair with the victim, who is aged about 17 years and A1 and that their marriage was solemnized on 15.05.2022 at A1's house and now, the victim became pregnant. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are parents of the victim and A1. The main allegation against the petitioners is that they have arranged the marriage between the victim girl and A1, other than that they have not committed any offence and hence, he seeks anticipatory bail.



4. The learned Government Advocate (Crl. Side) the respondent police submitted that it is a case of child marriage and the A1 was already arrested and released on regular bail and the petitioners, who are the parents of the victim and A1 had arranged the marriage and hence, he opposes to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that the petitioners are parents of A1 and victim and that A1 has already been released on regular 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 Sessions Judge, Fast Track Mahila Court, Theni, 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/-
21/12/2022

/ TRUE COPY /

/01/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

- 1 THE SESSIONS JUDGE, FAST TRACK MAHILA COURT, THENI.
- 2 THE INSPECTOR OF POLICE
DEVADANAPATTI POLICE STATION, THENI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.GOKUL K, Advocate (SR-15239[I] dated 21/12/2022)

ORDER
IN
CRL OP(MD) No.22648 of 2022
Date :21/12/2022