



Crl.O.P.No.13457 of 2023

Crl.O.P.No.13457 of 2023

WEB C **RMT.TEEKAA RAMAN, J.**

The petitioner, who apprehends arrest for the alleged offences under Sections 9, 10, 11 of Prohibition of Child Marriage Act, 2006 and Sections 5(I), 5(I)(II), 6 of Prohibition of Child Sexual Offences Act, 2012 in Crime No.24 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the 1<sup>st</sup> accused had fell in love with the victim girl. Both were eloped and the 1<sup>st</sup> accused married the victim girl. Now, the victim girl delivered a male child. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner who is the father of A1, is an innocent person and he has not committed any offence as alleged by the prosecution and no way connected with the alleged offence. He would also submit that at the time of marriage, the victim girl was closer to 18 years old. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side) would submit that there are totally three accused, in which, the petitioner, who is the father of A1 is arrayed as A3. A2 is the mother of A1. At the time of marriage, the victim girl was aged 17 years.

5. Considering the above fact and circumstances of the case and the submissions made by the learned counsel on either side and also of the fact that at the time of marriage, the victim girl was closer to 18 years old, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Tiruvottiyur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned



Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of six weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;



WEB COPY



Crl.O.P.No.13457 of 2023

**RMT.TEEKAA RAMAN, J.**

vkr

[f] If the accused thereafter absconds, a fresh FIR  
can be registered under Section 229A IPC;

**21.08.2023**

vkr

**Crl.O.P.No.13457 of 2023**