



Crl.O.P.No.25284 of 2023

C.V.KARTHIKEYAN, J.

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The petitioner / mother of A1 / A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(1) and 6(1) of the POCSO Act and Sections 9 and 11 of Prohibition of Child Marriage Act, 2006 in Crime No.333 of 2023, seeks anticipatory bail.

2.The victim child had given a statement under Section 164(5) of Cr.P.C., before the learned District Munsif cum Judicial Magistrate, Karimangalam and a reading of it reveals that even before the marriage, she had lodged complaint to the Toll Free No. 1098 but the police did not respond. Even after the marriage, she again called for help to the Toll Free No.1098 and again the police did not respond. Thereafter, the 1st accused had forcible sexual intercourse with her and thereafter, expressing her grievance, she called No.100 and then a lady constable had come and taken her to the Child Welfare Home and also registered the FIR.

3.It is thus seen as against her wishes, she had been forced into the marriage.



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smv

4.Taking all these factors into consideration, this Court is not inclined to grant anticipatory bail to the petitioner herein. Accordingly, this Criminal Original Petition stands dismissed.

5.A copy of this order may be forwarded to the Superintendent of Police, Dharmapuri District, who may call for records in Crime No.333 of 2023 registered by the Inspector of Police, Karimangalam Police Station, Dharmapuri District, under Sections 5(1) and 6(1) of the POCSO Act and Sections 9 and 11 of Prohibition of Child Marriage Act, 2006, to make sufficient enquiry about the statement made by the victim child of calling Helpline No.1098 before her marriage and after her marriage and that there was no response and try to fix responsibility on the said officials, who should have responded to the calls of the victim child.

06.12.2023

smv

Note:- The Registry is directed to forward this order to the Superintendent of Police, Dharmapuri District.

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