



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.3679 of 2023

WEB COPY

1.Rangasamy
2.Kasi

...Petitioners 1 & 2/Accused
Rank (not known)

-vs-

The State represented by
The Inspector of Police,
All Women Police Station,
Vadamadurai
Dindigul District
Crime No.02 of 2023

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioners on bail in the event of their arrest by the respondent Police with respect to Cr.No.02 of 2023.

For Petitioners : Mr.S.Sarvagan Prabhu

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

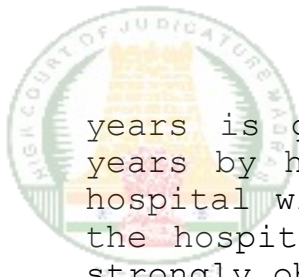
ORDER

The petitioners, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 9 and 11 of Prohibition of Child Marriage Act and Sections 5(1), (j) r/w 6 of POCSO Act in Crime No.02 of 2023 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution as per the de-facto complainant is that the second accused, who is the mother of the victim aged 17 years, has performed child marriage with the first accused, who is aged 52 years. Hence, the complaint.

3.The learned counsel for the petitioners would submit that there was love affair between the first accused and the victim girl and thereby the mother of the victim had performed marriage with the first accused. He prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) would submit that it is a case of grave offence where the victim girl who is aged 17



years is given in marriage to the first accused, who is aged 52 years by her own mother/A2 and she has admitted the victim in the hospital with pregnancy and on the basis of the intimation given by the hospital authorities, the case came to be registered. He would strongly object for grant of anticipatory bail to the petitioners.

5. Considering the gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioners. Hence, this petition is dismissed.

sd/-
01/03/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VADAMADURAI,
DINDIGUL DISTRICT.

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

+1. CC to M/S.SARVAGAN PRABHU.S Advocate SR.No.3142

ORDER
IN
CRL OP(MD) No.3679 of 2023
Date :01/03/2023

SS/SBN/SAR I/16/03/2023/2P/4C