



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

Date : 17/05/2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.8669 of 2023

1. Dharmesh
2. Padma
3. Mani
4. Panchavaranam

... Petitioners/Accused Nos.1 to 4

Vs

State rep. by
The Inspector of Police,
All Women Police Station,
Aruppukottai,
Virudhunagar District.
Cr.No.17/2023.

... Respondent/Complainant

For Petitioner : M/s.Vinothkumar.B,
Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.17/2023 on the file of the Respondent police.

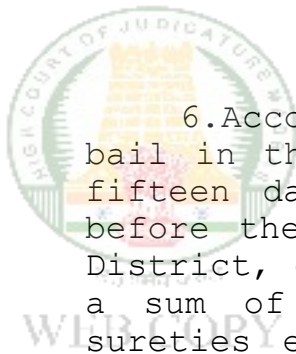
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 9 r/w 10 of Prohibition of Child Marriage Act 2006 and Sections 5 (1), 5(n) r/w. 6, 16 r/w. 17 of POCSO Act 2012 in Crime No.17 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners 2 to 4 performed marriage between the first petitioner and a minor girl.

3.Taking note of the fact that both the parties are relatives, this Court is inclined to grant anticipatory bail to the petitioners with the following conditions.

<https://www.mca.in/judis>



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukottai, Virudhunagar District, 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 on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity;

(b) the petitioners shall report before the respondent police as and when required for interrogation.

(c) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners 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]**; and;

(f) if the accused / petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

17/05/2023

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

PMU

TO

1. The Judicial Magistrate,
Aruppukottai, Virudhunagar District.
2. Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.



3. The Inspector of Police,
All Women Police Station, Aruppukottai,
Virudhunagar District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.B.VINOTHKUMAR, Advocate (SR-7466[I] dated 18/05/2023)

ORDER
IN
CRL OP(MD) No.8669 of 2023
Date : 17/05/2023

NA/VR/SAR-2/19.05.2023/3P/6C