



CRL OP(MD). No.10612 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.10612 of 2023

M.Selvendran

... Petitioner / Accused No.1

Vs

State represented by
The Inspector of Police,
All Women Police Station,
Thirumangalam, Madurai District.
Crime No.3 of 2023.

... Respondent / Complainant

For Petitioner : M/s.R.L.Dilipan Pandian, Advocate

For Respondent : Mr.B.Nambiselvan
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.3 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 9, 10 of Child Marriage Act,

<https://www.mhc.tn.gov.in/judis>



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2006 and Section 5(1), 5(j),(ii), 6, 16, 17 of POCSO Act, in Crime No.3 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 12.07.2020, marriage was solemnized between the petitioner and a minor girl aged about 17 years. Out of the wedlock a male child was born to them. On the basis of the complaint given by the Women Welfare officer, the present case came to be registered.

3. During the earlier hearing, it was found that the victim has now attained majority. On that account, the petitioner wanted to live with the victim. But the victim is not ready to live with him over some sort of issues. Now the petitioner has filed an undertaking affidavit that he is ready to take the victim girl, since she has attained majority.

4. In view of the development, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judge, Special Court for POCSO Act Cases, Madurai, 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 learned Magistrate concerned and the petitioner shall appear before the respondent police daily at 10.30



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a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner 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/-
26/09/2023

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/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

- 1 THE JUDGE
SPECIAL COURT FOR POCSO ACT CASES, MADURAI.
- 2 INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.L.SIVA, Advocate (SR-14223[I] dated 26/09/2023)

ORDER
IN

CRL OP(MD) No.10612 of 2023

Date :26/09/2023

PKP/DD/SAR- /12.10.2023/ 4P/5C

Madurai Bench of Madras High Court is issuing certified
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