



CRL OP(MD). No.12570 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

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Rajasekar

... Petitioner / Accused

Vs

State by the
Sub Inspector of Police,
Thiruvidaimarudhur Police Station,
Thanjavur District,
(in Crime No.358 of 2023.)

... Respondent / Complainant

For Petitioners : M/s.S.Rajesh, Advocate

For Respondent : Mr.S.Manikandan
Government Advocate (Crl. side)

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

PRAYER :-

For Anticipatory Bail in Crime No.358 / 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 5(i), 5(j)(ii) and



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6 of Protection of child from sexual offences Act, 2012 and Section 9 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.358 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner has married a minor child and a complaint has been given by the medical officer.

3. The victim girl has appeared before Judicial Magistrate, Thiruvudaimaruthu and gave a statement under Section 164 of Cr.P.C., stating that she was in love with the petitioner and got married also. She became pregnant and later aborted. When she was admitted in the hospital, a complaint was made by the Medical Officer and the same was registered in Crime No.358 of 2023.

4. Learned counsel for the petitioner submitted that the victim girl is 17 years old and he has filed an undertaking affidavit stating that after attaining majority, he will marry her and till then, the victim will be in the care and custody of her mother.

5. Recording the undertaking affidavit given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Thiruvudaimarudhur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
14/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

To

1.The Judicial Magistrate,
Thiruvudaimaruthur.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumabkonam.

3.The Sub Inspector of Police,
Thiruvudaimaruthur Police Station,
Thanjavur District.



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

ORDER
IN
CRL OP(MD) No.12570 of 2023
Date :14/07/2023

ED/BUC/SAR- (26/07/2023) 4P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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