



WEB COPY



Crl.O.P.No.2894 of 2024

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9, 10 of Child marriage Act 2006 in Crime No.11 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner married the victim girl who is aged about 17 years in the presence of the other petitioners. Hence, the complaint.

3. Heard both sides.

4. Considering the above fact and circumstances of the case, both the first petitioner and the victim girl living as husband and wife and also victim attained majority. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the



learned Sessions Judge, **Special Court for Exclusive Trial of Cases under POCSO Act, Vellore, Vellore 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar 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 evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.



WEB COPY

[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 petitioner 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

02.04.2024

pbl



WEB COPY



T.V.THAMILSELVI, J.

pbl

Crl.O.P.No.2894 of 2024

02.04.2024