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Crl.O.P.No.9086 of 2024

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Sections 9 and 10 of Prohibition of Child Marriage Act in Crime No. 16 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that petitioners 2, 3 and the accused 4 and 5 arranged and solemnized the marriage between the petitioner and the victim girl/daughter of A4 and A5. Hence, the case.

3. The learned Government Advocate (Crl. side) stated that the victim girl was eloped with some other boy hence the statement under Section 164 Cr.P.C has not recorded. Considering the above, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4.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



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from the date of receipt of a copy of this order, before the learned judicial magistrate- II, Viruthachalam, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned 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 are directed to report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or



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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 petitioners 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.

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