



Crl.O.P.No.12266 of 2024

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T.V.TAMILSELVI, J.,

The petitioner, who apprehends arrest for the alleged offence under Section 9 of the prohibition of Child Marriage Act, 2006, in Crime No.189 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the victim is a minor girl. The petitioner and the victim girl were in love with each other and subsequently, they got married on 01.09.2023 without their parents knowledge and due to which, the victim girl got pregnant and based on the complaint given by the Hospital Authority, the present case has been filed.

3.The learned counsel appearing for the petitioner submits that the petitioner and the victim girl had love affair and subsequently, they got married without understanding the consequences. He would submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) appearing for the respondent submitted that the petitioner married the victim girl who is a



CrI.O.P.No.12266 of 2024

minor, without the consent of their parents and now the victim girl is 7 months pregnant. He further submits that the investigation is almost completed and the statement of the victim girl is yet to be recorded. Hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Considering the nature of case and also taking into consideration that the investigation in this case is almost completed, this Court inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order, before the **learned Sessions Judge, Mahila Court, Perambalur**, 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 petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a



Crl.O.P.No.12266 of 2024

copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear before the respondent police as and when required for interrogation;

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

(d) the petitioner 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 petitioner released on anticipatory 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

11.06.2024

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CrI.O.P.No.12266 of 2024

T.V.TAMILSELVI, J.,

SSI

CrI.O.P.No.12266 of 2024

11.06.2024