



**Crl. O.P. No.21392 of 2024**

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**P. DHANABAL.J.,**

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The petitioners / Accused 2 to 6 who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 87, 127(2), 351(2) of B.N.S. 2023 read with Sections 5(1) r/w 6 of POCSO Act 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 in connection with the Cr. No.39 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioner's son married a minor girl / defacto complainant who is aged 17 years on 21.07.2024 and thereafter left the victim at his parent's house at Gobichettipalayam and went to chennai and the petitioners herein, refused to accept her, locked her in a room, abused her and forced her to leave her maternal home on attaining her majority. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not involved in the crime, that the petitioners are innocent persons, that they have not committed any offence as alleged by the defacto complainant, that even as per the FIR, no any specific allegations against the petitioners and they are ready to abide by any



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condition imposed by this Court. Hence he prayed to grant anticipatory

bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would contend that the 1st petitioner is the father of A1 and the 2nd petitioner is his mother, A1 is absconding, that the petitioners have not accepted the marriage solemnized between their son and the defacto complainant, who is aged 17 years and harassed her. Hence he objected for the grant of anticipatory bail. Further he submitted that there is no previous case against the petitioners and the statement of the victim girl was recorded under Section 180(3) of B.N.S.S.

5. Heard both sides and perused the materials available on record.

6. Considering the arguments putforth on either side, considering the nature of offences charged against the petitioners, the fact that the petitioners are only in-laws of the defacto complainant, that there was love affair between the main accused and the defacto complainant, that the statement of the victim was recorded under Section 164(5) of Cr.P.C., that no previous case is pending against the petitioners, I am inclined to grant



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anticipatory bail to the petitioners, subject to the following conditions:

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7. 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 **Mahalir Neethi Mandram, Fast Track Mahila Court, Tiruppur** on condition that the petitioners 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 on further condition that:

**[a] the petitioners 1 to 4 shall report before the Mahalir Neethi Mandram, Fast Track Mahila Court, Tiruppur on every Monday for a period of 8 weeks.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous



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permission of the Court;

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[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 petitioners 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 269 B.N.S.2023.

05.09.2024

mjs

**P.DHANABAL,J**  
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To

- 1.The Magalir Neethi Mandram, Fast Track Mahila Court, Tiruppur
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, All Women Police Station, Udumalpet.



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