



CRL OP(MD) No.1774 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirteenth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1774 of 2024

RAJAMMAL

... PETITIONER / ACCUSED No.1

Vs

THE INSPECTOR OF POLICE
P.C.PATTI POLICE STATION,
THENI DISTRICT.
CRIME NO.77 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.MAHESWARAN, Advocate for
Mr.C.SUSIKUMAR Advocate

For Respondent : Mr.B.NAMBISELVAN, Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

PRAYER:

FOR BAIL IN CRIME NO.77 OF 023 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial
custody on 02.12.2023 for the alleged offence punishable under Sections 366, 406 IPC



CRL OP(MD) No.1774 of 2024

and Sections 9, 10 and 11 of Prohibition of Child Marriage Act in Crime No.77 of 2023, on the file of the respondent Police, seeks bail.

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2. The case of the prosecution is that the girl, aged about 17 ½ years was found missing. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a senior citizen and she did not commit any offence as alleged by the prosecution. He would further submit that the only allegation made against the petitioner is that she helped the victim girl to marry with one Jeyapaul. Except this allegation, no other allegations were made against her. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the victim girl had love affair with the petitioner's son viz., Eswaran and there was physical relationship between the petitioner's son and the victim girl. He would further submit that the petitioner forced the victim girl to marry with one Jeyapaul and she decided to perform his son's marriage in the same community. He would further submit that the respondent Police secured the victim girl and now, the victim girl is in AHM Trust.



CRL OP(MD) No.1774 of 2024

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5. This Court vide order dated 06.02.2024 directed the District Social Welfare Officer to record the statement of the victim girl and filed a report before this Court.

6. Pursuant to the direction issued by this Court, today, the District Social Welfare Officer has filed a report before this Court.

7. On perusal of the above said report, it is seen that the petitioner's son had physical relationship with the victim girl and thereafter, the petitioner forced to marry with one Jeyapaul, aged about 34 years and the victim girl married the said Jeyapaul.

8. Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner herein.

9. In the result, the Criminal Original Petition stands dismissed.

sd/-
13/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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CRL OP(MD) No.1774 of 2024

TO
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- 1 THE INSPECTOR OF POLICE
P.C.PATTI POLICE STATION,
THENI DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL,WOMEN PRISON, NILAKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.1774 of 2024
Date :13/02/2024

SS/GS/SAR- /19/02/2024/4P/4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023