



CRL OP(MD). No.8004 of 2024

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

Date : 05/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8004 of 2024

1. Perumal,

2. Indra,

... Petitioners/ Accused Rank not known
Vs

The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.
Crime No. 86 of 2024.

... Respondent/Complainant

For Petitioners : M/s. Sekar.S,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Crime No. 86 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.86 of 2024 for the offence under Girl missing @ into Sections 5(i) and 6 of POCSO Act and Section 9 of Prohibition of Child Marriage Act, has filed this petition, seeking anticipatory bail.



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2. The case of the prosecution is that the first accused, viz., Balachandran, eloped with the daughter of the defacto complainant, who is a minor, with the help of the petitioners.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the investigation is pending.

5. The petitioners are A2 and A10, who are the father and maternal aunt of the first accused, viz., Balachandran. The victim girl aged about 15 years old had affair with A1 and eloped with A1. When the marriage between the victim and A1 was solemnized on 23.03.2024, the petitioners were present.

6. Considering the facts and circumstances of the case, considering the nature of offence, the petitioners and the victim are all relatives and also considering the statement of the victim recorded under Section 164 Cr.P.C, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is allowed and 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 of receipt of a copy of this order, before the



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concerned learned Judicial Magistrate/ learned Judge, on condition that

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(i) the petitioners execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), each with two sureties each, for a like sum to the satisfaction of the Additional Mahila Court, Trichy;

(ii) The petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required by the respondent police. They have to co-operate for the investigation.

(iv) The petitioners shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioners, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-

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/06/2024

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

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TO
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- 1 THE ADDITIONAL MAHILA JUDGE,
TRICHY.
- 2 THE INSPECTOR OF POLICE
VAIYAMPATTI POLICE STATION, TRICHY DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.SEKAR, Advocate (SR-6138[I] dated 05/06/2024)

ORDER
IN
CRL OP(MD) No.8004 of 2024
Date :05/06/2024

SS/GS/SAR- /13/06/2024/4P/5C

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