



CRL OP(MD). No.11105 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

The Hon'ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.11105 of 2024

1. Jeyaprakash,

2. Naatchammal,

... Petitioners/ Accused NO.3 & 4

Vs

The Inspector of Police,
Puluthipatti Police Station,
Sivagangai District.
Crime No.33/2024.

... Respondent/ Complainant

For Petitioner : M/s. Sebastinal Preethi V,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 33 of 2024 on the file of the Respondent police



CRL OP(MD). No.11105 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 7 r/w Section 8 of POCSO at 2012, Section 9, 10 Child Marriage Act, 2006 in Crime No.33 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused is the son of the petitioner and he had love affairs with one minor girl and both are tied a knot on 12.04.2024 in Vellimaial Murugan Temple, Madurai. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioners are the parents and they are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prayed anticipatory bail to the petitioners.

4.The learned Government Advocate (criminal side) appearing for the respondent police has strongly opposed this petition, however, he would further submit that in this case, co-accused have already been released on bail.

5. Considering the facts and circumstances of the case and also considering the



CRL OP(MD). No.11105 of 2024

fact that the co-accused have already been released on bail, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Sessions Judge, Principal Special Court for Exclusive Trial of cases under POCSO Act, 2012, Sivagangai 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judge concerned and on further conditions 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;

(c) the petitioners shall report before the respondent police as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



CRL OP(MD). No.11105 of 2024

WEB COPY

(f) 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 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar (CS-I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

TO

1. The Sessions Judge,
Principal Special Court for Exclusive Trial of cases under POCSO Act,
2012, Sivagangai
2. The Inspector of Police,
Puluthipatti Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.11105 of 2024

WEB COPY +1 CC to M/s.V.SEBASTINAL PREETHI, Advocate (SR-8642[I] dated 25/07/2024)

ORDER
IN
CRL OP(MD) No.11105 of 2024
Date :23/07/2024

RK /JGB(31/07/2024) 5P / 5C

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