



CRL OP(MD). No.13953 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13953 of 2024

1.Kasimayan @ Kashi

2.Lakshmi

... Petitioners/ Accused

Vs.

State of Tamil Nadu

Rep by the Inspector of Police,

Sedapatti Police Station

Madurai District.

(Crime No.141/2024)

... Respondent/Complainant

For petitioners : Mr.B.Anandan,Advocate.

For Respondent : Mr.A.Albert James,

Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory bail in Crime No.141 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners /Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9 and 10 of Child Marriage Act, 2006, in crime No.141 of 2024 on the file of the respondent police, seek anticipatory



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2.The case of the prosecution is that on 30.10.2022, the marriage was conducted between one Chinnapandi(A1),who is the son of A2 and one Nanthitha, who is the daughter of A3 and A4, aged about 18 years. Hence, the respondent police registered a case against the petitioners.

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

4.Heard the learned Government Advocate(Crl.sdie) appearing for the State.

5.Considering the nature of the allegation that the petitioners are the parents of the victim child, I am inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Peraiyur, Madurai District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent Police, daily at 10.30 am for

<https://www.mhc.tn.gov.in/judis>



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a period of one week and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners shall not abscond during trial.

v)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].

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

sd/-
27/08/2024

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/ 09 /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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI DISTRICT.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
SEDAPATTI POLICE STATION,
MADURAI DISTRICT

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.ANANDAN, Advocate (SR-10582[I] dated 29/08/2024)

ORDER
IN
CRL OP(MD) No.13953 of 2024
Date :27/08/2024

PSP/ JGB /SAR /04.09.2024/ 4P/ 6C

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