



CRL OP(MD). No.14434 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Veerachinnu
2. Vellaiyan
3. Alagumani
4. Chinnatha @ Chinnathal

... Petitioners/ Accused No.1 to 4

Vs

The Inspector of Police,
All Women Police Station,
Manapparai,
Trichy District.
Crime No.23/2024.

... Respondent/Complainant

For Petitioner : M/s.Joel Paul Antony.A, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS



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PRAYER:-
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For Anticipatory Bail in Crime No.23/2024 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 Prohibition of Child Marriage Act 2006 and Sections 5(1), 5(j)(ii) 6(i) of POCSO Act 2012, in Crime No.23 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner and the victim girl are relatives and loved each other. Therefore, their parents solemnized the married. When the victim girl went to a Government Hospital for check-up, a Doctor informed the police regarding the age of the victim girl. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the facts and circumstances of the case and also considering the nature of allegations as against the petitioner that the defacto complainant is aged about 17 years and fell in love with the first petitioner being the cousin and that their family members performed the marriage prematurely, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be

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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 Mahila Court, Trichy, on condition that the petitioners shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate 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;

(b) the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks;

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

(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 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;

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(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

229-A IPC.

sd/-
30/08/2024

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/ 09 / 2024

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

LR

TO

1 THE JUDGE
MAHILA COURT, TRICHY.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAPPARAI,
TRICHY DISTRICT.

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

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate (SR-10742[I] dated 02/09/2024)

ORDER
IN

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