



CRL OP(MD). No.14880 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14880 of 2024

Saravanan,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep. By, the Inspector of Police, All
Women Police Station, Aranthangi,
Pudukkottai District.
(Crime No.5 of 2024).

... Respondent/Complainant

For Petitioner : K.Kharikharadas, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

For Bail in Crime No.05 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 10.08.2024 for the offences punishable under Sections 5(1), 5(j)(2) r/w. 6(1) of POCSO (Amendment) Act, 2019 and Section 9 of Prohibition of Child marriage Act, in Crime No. 5 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein married the victim girl, who is aged about 16 years at the time of marriage. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegations against the petitioner that the petitioner was married to the victim child and at the time of delivery, the complaint is forwarded from the hospital and considering the gravamen that it is a marriage performed albeit before the statutory age and considering the fact that the petitioner is in jail from 10.08.2024, I am inclined to enlarge the petitioner on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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

learned Sessions Judge, Mahila Court, Pudukkottai.

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(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 petitioner shall appear before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

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

iv)the petitioner 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 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].

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

sd/-
05/09/2024

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/ 09 /2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



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TO

1 THE SESSIONS JUDGE
MAHILA COURT, PUDUKKOTTAI.

2 THE SUPERINTENDENT,
DISTRICT JAIL, PUDUKKOTTAI.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARANTHANGI,
PUDUKKOTTAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.14880 of 2024

Date :05/09/2024

PSP/ /SAR /05.09.2024/ 4P/ 5C

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