



CRL OP(MD.No.15009 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Veerakumar
2. Baskaran @ Baskar
3. Kala
4. Jimmi @ Elaspam Corder @ Elesbunkarter
5. Banumathi

... Petitioners/ Accused 1 to 5

Vs

The Inspector of Police,
All Women Police Station (Fort),
Trichy District.
Crime No.18 of 2024

... Respondent/Complainant

For Petitioners : Mr.K.Rajesh,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.18 of 2024 on the file of the Respondent police.



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ORDER: The Court made the following order :-

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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, in Crime No.18 of 2024, seek anticipatory bail.

2.The case of the prosecution is that on 10.07.2024, the accused persons had arranged marriage for the first petitioner and the victim girl, who is a minor. Hence, the complaint.

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

4.Considering the nature of allegation that the petitioners being the husband of the minor girl and the parents of both the bride and groom and the marriage was sought to be performed before the child completed 18 years of age and that the age of the child was 17 years, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.

5.Accordingly, this Petition is allowed and 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 Additional Mahila Court, Magistrate level, Tiruchirapalli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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each with two common sureties, 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 a.m., for a period of three weeks 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;

(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 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]; and;



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

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229-A IPC.

sd/-
06/09/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

1 THE ADDITIONAL MAHILA JUDGE,
MAGISTRATE LEVEL, TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUCHIRAPPALLI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION (FORT),
TRICHY DISTRICT.

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

+1 CC to M/s.K.RAJESH, Advocate (SR-11046[I] dated 09/09/2024)



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ORDER
IN
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Date :06/09/2024

SA/JGB/SAR. /01.10.2024/5P/6C

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