



CRL OP(MD). No.16784 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16784 of 2024

1. Kavitha

2. Subramaniyan

3. Murugesan

4. Rani

... Petitioners/ Accused No. 2 to 5

Vs

State of Tamilnadu,
Rep. by the Inspector of Police,
All Women Police Station,
Musiri, Trichy District.
(Crime No. 21 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.K.Arunraj, 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.21 of 2024 on the file of the respondent police

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



CRL OP(MD). No.16784 of 2024

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ORDER : The Court made the following order :-

The petitioners/ A2 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9 and 10 of Child Marriage Act and Sections 5 (l), 5(j)(ii) r/w 6 (1) of POCSO Act, in Crime No.21 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had performed the A1 marriage with the minor girl. Due to that, she got pregnancy. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of allegations against the petitioners that the petitioners are the parents of both the boy and the girl, who are said to have performed the child marriage and that they performed the marriage at the age of 17 years and the child is 17 years, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions:

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Mahila Court, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees



CRL OP(MD). No.16784 of 2024

Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 two weeks and thereafter, as and when required for interrogation.

[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].



CRL OP(MD). No.16784 of 2024

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/10/2024

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

SJI

TO

1 THE JUDGE
DISTRICT MAHILA COURT, TRICHY.

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

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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-12121[I] dated 03/10/2024)

ORDER
IN
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Date :03/10/2024



CRL OP(MD). No.16784 of 2024

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