



Crl.O.P.(MD).No.17575 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). Nos.17575 & 17582 of 2024

Crl.O.P.(MD).No.17575 of 2024

1. Sampath @ Sambantham,

2. Kannaki,

... Petitioners/ Accused Nos.4 & 5

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Vallam,
Thanjavur District
Crime No. 25/2024.

... Respondent/Complainant

For Petitioners : Mr.Manoj Kumar.S,
Advocate.

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



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Crl.O.P.(MD).No.17582 of 2024:

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1. Arivu Selvam,

2. Velumani,

3. Rajesh,

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
All Women Police Station,
Vallam,
Thanjavur District.
(Crime No. 25/2024).

... Respondent/Complainant

For Petitioners : Mr.S.Gokulraj,
Advocate.

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

PETITIONS FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

COMMON PRAYER :- For Anticipatory Bails in Crime No.25 of 2024 on the file of the respondent Police.

COMMON ORDER : The Court made the following order :-

The petitioners/ Accused Nos.1 to 5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006 in Crime No.25 of 2024, on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the defacto complainant / respondent Police received an intimation through the Child Welfare Helpline Number regarding the marriage of a minor girl, who is the daughter of Accused Nos.4 and 5. On 16.09.2024, when the minor girl was enquired by the defacto complainant, she came to know that the marriage was solemnized between the third Accused and the victim girl. Hence, the complaint.

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

4. Considering the nature of allegations in this case that Accused Nos.4 and 5 being the parents of the victim girl, who is only 15 years old, attempted to get married the victim girl to Rajesh, one of the petitioners herein, who is aged about 33 years and considering the arguments of the learned counsel appearing for the petitioner that the attempt itself was thwarted, 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 Special Court for Exclusive Trial of POCSO Act Cases, Thanjavur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties (common surety)



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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 three 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



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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].

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

sd/-
17/10/2024

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/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO

1 THE SPECIAL JUDGE FOR
EXCLUSIVE TRIAL OF POCSO ACT CASES,
THANJAVUR.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VALLAM,
THANJAVUR DISTRICT

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

+1 CC to M/s.S.MANOJ KUMAR, Advocate (SR-12693[I] dated 18/10/2024)

+1 CC to M/s.V.S.VIGNESWARAN, Advocate (SR-12694[I] dated 18/10/2024)



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ORDER IN
CRL OP(MD) No.17575 of 2024
Date :17/10/2024

SA/JGB/SAR. /05.11.2024/6P/6C

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