



CRL OP(MD)No.18091 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Kamaraj
2. Selvam
3. Thummakkal
4. Krishnaveni
5. Ramasamy
6. Jeyanthi
7. Ulaganathan

... Petitioners 1 to 3 / Accused No.1 to 3

... Petitioners 4 to 7 / Accused Rank not known

Vs

The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.
(Crime No.192 of 2024)

... Respondent/Complainant

For Petitioners : Mr.G.Bhagavath Singh, 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.192 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.192 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is said to have enticed the victim girl and married her and also had sexual intercourse with her. 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 in this case that the first petitioner is said to have enticed the victim child by way of relationship and married her and had physical intercourse with her and considering the argument of the learned Counsel for the petitioner that as on date of the marriage and the enticement itself, the victim child has crossed 18 years of age and her date of birth as per the XII standard mark sheet is 15.07.2006 and in the FIR, it has been wrongly mentioning as if her date of birth is in the month of November, 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 released on bail in the event of arrest or their appearance, within a period of fifteen



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days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Manapparai, 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 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



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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;

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

sd/-
22/10/2024

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

JBR

To

1.The Judicial Magistrate,
Manapparai.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
Thuvarankurichi Police Station,
Trichy District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.BHAVATH SINGH, Advocate (SR-12896[I] dated 22/10/2024)



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ORDER

IN

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Date :22/10/2024

ED/ RN /SAR- (11/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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