



CRL OP(MD). No.19257 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19257 of 2024

Easubalan

... Petitioner/ Accused Rank not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
AWPS Police Station,
Thanjavur District.
Crime No 14 of 2024.

... Respondent/Complainant

For Petitioner : Mr. R.L. Dhilipan Pandian, 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. 14 of 2024 on the file of the
respondent police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent
police for the alleged offence under Sections 5(i), 5(j)(ii), 6 of POCSO Act r/w 9 of



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Child Marriage Act in Crime No.14 of 2024 on the file of the respondent police, seeks
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anticipatory bail.

2. The case of the prosecution is that on 13.06.2024, the petitioner is said to have married the victim girl, who was a minor. Therefore, FIR has been registered against offences of POCSO Act and under the Prevention of Child Marriage Act.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

4. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, 2012, Thanjavur District, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) 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 said Judge, on further condition that:

[a] if the petitioner fail to surrender before the said Judge



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within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Judge may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the learned Judge/ 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 Judge/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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[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
08/11/2024

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

PNM
TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
THANJAVUR DISTRICT.

2 THE INSPECTOR OF POLICE,
AWPS POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-13762[I] dated 08/11/2024)



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ORDER

IN

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Date :08/11/2024

SA/SAR. /23.11.2024/5P/5C

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