



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

Wednesday, the Sixth day of May Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.8897 of 2015

BASKARAN

... PETITIONER/ACCUSED NO.4

Vs

THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION, MADURAI DISTRICT.
(CRIME NO. 220 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner :MR.G.R.SWAMINATHAN FOR M/S.T.ANTONY ARUL RAJ Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 377 and 306 of I.P.C and 5(L)/6 of Protection of Children from Sexual Offence Act, 2012 and Section 14 of Child Labour Prohibition and Regulation Act, 1986 in Crime No.220 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3.It appears that a fourteen years old boy committed suicide in a quarry owned by this petitioner on 27.04.2015. On the complaint lodged by the parents of the boy, the police initially registered a case in Crime No.220 of 2015 under Section 174 Cr.P.C. During the course of investigation, it came to light that the boy was sexually abused by(A1) Kannan and also it came to light that A-2(Ilangovan) and A-3(Raja) had abetted the offence committed by A-1. Therefore, the police filed alteration report, dated 29.04.2015, altering the case from one under Section 174 Cr.P.C to Sections 377 and 306 I.P.C and Sections 5(L)/6 of Protection of Children from Sexual Offence Act, 2012 and Section 14 of Child Labour Prohibition and Regulation Act, 1986. The police arrested A-1 to A-3 and they are still in judicial custody.

4. The allegation against A-1 to A-3 is that A-1 had sexually abused the boy, A-2 and A-3 had abetted the offence committed by A-1. The petitioner is accused of offence under Section 14 of Child Labour Prohibition and Regulation Act, 1986, which prohibits the engagement of a Child in any factory. The petitioner is not accused for the major offences 377 and 306 of I.P.C and Section 5(L)/6 of Protection of Children from Sexual Offence Act, 2012.

<https://hcservices.courts.gov.in/hcservices/> The offence under Section 14 of Child Labour Prohibition and Regulation Act, 1986, is bailable, application for anticipatory bail is not maintainable. Therefore, the petitioner is



directed to surrender before the concerned Court and get regular bail and in the event of the petitioner surrendering before the lower Court and his filing of petition seeking bail, the lower Court shall dispose of the said petition for bail on the same day strictly on merits and in accordance with law.

With the above direction, this Criminal Original Petition is disposed of.

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sd/-
06/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to M/S.T.ANTONY ARUL RAJ Advocate SR.No. 25103

SR/SJW : 07.05.2015 : 2P/4C

ORDER
IN
CRL OP(MD) No.8897 of 2015
Date :06/05/2015