



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

Wednesday, the Third day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.9438 of 2015

SELVI

... PETITIONER/ ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KANYAKUMARAI DISTRICT
(CRIME NO.7 OF 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.CHRISTOPHER Advocate

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

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

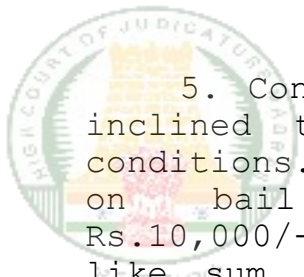
The petitioner, who is arrayed as A-2 in Crime No.7 of 2015 on the file of the respondent police was arrested and remanded to the judicial custody by the respondent police on 14.03.2015 for the alleged offence under Sections 8, 9(1), 9(n), 10 and 21 of Protection of Children from Sexual Offences Act and hence seeks bail.

2. The case of the prosecution is that the first accused is the second husband of the second accused and the victim girl is the daughter of the second accused. While so, the first accused sexually harassed the victim, which was not questioned by the second accused and on the other hand, she aided the first accused for the commission of offence.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent lady and the offence under Sections 8, 9 (1), 9(n) and 10 of the Act, would not applicable to the petitioner and she can be prosecuted only under Section 21 of the Act and for which, the maximum sentence is six months. It is further submitted that the first accused was already released on bail and the respondent has not filed charge sheet even after lapse of 60 days.

K.KALYANASUNDARAM, J.
pm

4. The learned Government Advocate(Crl. Side) submitted that the petitioner is the mother of the victim girl and she aided for the commission of the offence.



5. Considering the nature of the allegations, , this Court is inclined to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Judge, Fast Track (Mahila) Court, Nagercoil, and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m until further orders.

sd/-
03/06/2015

/ TRUE COPY /

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

TO

1.THE JUDGE, FAST TRACK (MAHILA) COURT, NAGAEARCOIL.

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

3.THE OFFICER INCHARGE,
SUB JAIL, THUCKALAY.

4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KANYAKUMARAI DISTRICT

+1. CC to M/S.C.CHRISTOPHER Advocate SR.No.27211

ORDER
IN
CRL OP (MD) No.9438 of 2015
Date :03/06/2015

RG.03.06.2015 2P.6C.