



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

Tuesday, the Nineteenth day of July Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10494 of 2016

SELVI @ ESAKKIAMMAL

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO. 13 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.ANAND Advocate

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

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

ORDER : The Court Made the following order :-

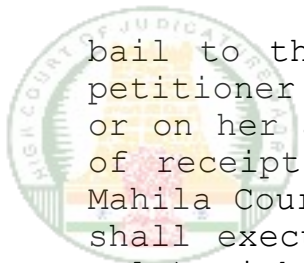
The petitioner, who is arrayed as Accused No.3, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 366(A), 506(i) IPC and Section 4 of Protection of Child from Sexual Offences Act, 2012, in Crime No.13 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the de facto complainant and A.1 fell in love and they decided to marry each other. When the same was informed to the parents of the de facto complainant, they objected to the marriage. Due to that on 23.04.2016, both A.1 and de facto complainant left their house and got married and A.1 took her to his house and they lived together and subsequently A.1 tortured and ill-treated her and thrown out her from his house. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that she is an innocent and she has not committed any offence. She is the mother of A.1. She has been falsely implicated in this case. A.1 and A.2 were already arrested and released on bail by the Mahalir Neethimandram (Fast Track Mahila Court), Thoothukudi vide orders dated 06.07.2016 made in Cr.M.P.Nos.254 and 249 of 2016 respectively.

4.The learned Government Advocate (Criminal side) submitted that investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that A.1 and A.2 were already arrested and released on bail by the Mahalir Neethimandram (Fast Track Mahila Court), Thoothukudi, this Court is inclined to grant anticipatory



bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Fast Track Mahila Court, Thoothukudi District, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Fast Track Mahila Court, Thoothukudi District concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.00 a.m. until further orders.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate/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 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
19/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDGE, FAST TRACK MAHILA COURT, THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECTUOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.ANAND Advocate SR.No.38146

SMN
CSL/GSV-PM/SAR-I/22.07.2016 : 2P/5C

ORDER
IN
CRL OP(MD) No.10494 of 2016
Date :19/07/2016