



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

Thursday, the Fourteenth day of July Two Thousand Sixteen

PRESENT

WEB COPY

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

CRL OP(MD) No.10906 of 2016

VAIJAYANTHIMALA

... PETITIONER/ACCUSED No.8

Vs

THE INSPECTOR OF POLICE
AWPS USILAMPATTI POLICE STATION,
MADURAI DISTRICT.
IN CR.NO.61 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.SIVAPRAKASH Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl. Side)

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

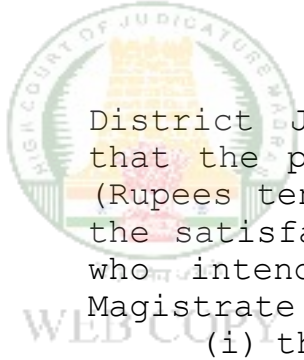
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.8, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) of IPC, 9 & 10 of Child Marriage Act, 5 L 6 of Protection of Child from Sexual Harassment Act, 2012, 4 of Dowry Prohibition Act r/w 109 of IPC, in Crime No.61 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the petitioner is that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution and the petitioner is the mother of the victim girl and the victim girl is secured and she is with her mother and prays for anticipatory bail in favour of the petitioner.

3.It is submitted by the learned Government Advocate (Crl.Side) that the marriage was stopped and the victim girl is living with the petitioner. He further submitted that co-accused was granted anticipatory bail by this Court in Crl.O.P(MD)No.7977 of 2016, dated 20.05.2016.

4.Considering the facts and circumstances of the case and also considering the fact that marriage stopped and the victim girl is living along with the petitioner and the co-accused was granted anticipatory bail by this Court in Crl.O.P.(MD)No.7977 of 2016, dated 20.05.2016, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner ordered to be released on 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 II Additional



District Judge-cum-Sessions Mahilla Court, Madurai, 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 Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.30 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]**.

5.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/-
14/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE II ADDITIONAL DISTRICT JUDGE-CUM-SESSIONS MAHILLA COURT, MADURAI
- 2 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE INSPECTOR OF POLICE
AWPS USILAMPATTI POLICE STATION, MADURAI DISTRICT.

+1. CC to M/S S.SIVAPRAKASH Advocate SR.No.36555

ORDER
IN
CRL OP(MD) No.10906 of 2016
Date :14/07/2016

am

SH/KBM/SAR-I:19.07.2016:2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>