



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

Tuesday, the Twenty Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.15444 of 2016

AMUTHA

... PETITIONER/ACCUSED No.2

Vs

THE INSPECTOR OF POLICE,
BODI TALUK POLICE STATION,
THENI DISTRICT.
(CRIME NO. 241 OF 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.C.BETHANASAMY, ADVOCATE

FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

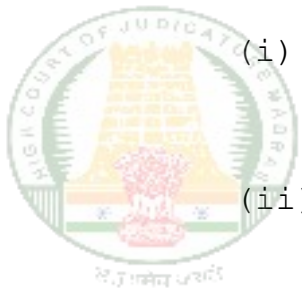
The petitioner is arrayed as Accused, who was arrested and remanded to judicial custody on 06.06.2016 for the alleged offences punishable under Sections 366(A), 406, 344 IPC and 3 & 4 r/w 17 of Protection of Children from Sexual Offence Act, 2012, in Crime No.241 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the daughter of the defacto complainant, who is a minor, aged about 16 years was kidnapped by the petitioner with help of other accused. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and she is no way connected with the offence as alleged by the prosecution. The petitioner is in judicial custody from 06.06.2016.

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

5.Considering the facts and circumstances of the case and also considering the fact that this Court granted anticipatory bail to A.1 in Crl.O.P(MD)No.9351 of 2016 and the petitioner is in judicial custody from 06.06.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:



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- (i) 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 Mahila Court, Theni District.
- (ii) the petitioner shall report before the Sivakasi East Police Station, Sivakasi daily at 10.00 a.m., until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) 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/-
23/08/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDGE,
MAHILA COURT, THENI DISTRICT.
2. THE INSPECTOR OF POLICE,
BODI TALUK POLICE STATION,
THENI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
4. THE OFFICERS INCHARGE,
SUB WOMENS PRISON, NILAKOTTAI.

+1. CC to M/S.C.BETHANASAMY Advocate SR.No. 46474

ORDER IN
CRL OP(MD) No.15444 of 2016
Date :23/08/2016