

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20004 of 2018

ARUNA @ ARUNADEVI

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
UDUMALPET,
TIRUPPUR DISTRICT.
CR.NO.2 OF 2018

For Petitioner : M/S.S.GUNALAN Advocate

For Respondent : MR. C.IYYAPPARAJ, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested on 04.07.2018 for the offence under Section 9(i), 9(m) r/w 10 of POCSO Act 2012 in Cr.No.2 of 2018 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the step mother of the victim girl and she had illegal intimacy with A1. A1 has sexually harassed the victim girl. On the basis of the complaint filed by the husband of the petitioner, the case came to be registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. Infact, the petitioner saved the victim girl from the hands of A1.

4.The learned Additional Public Prosecutor submits that as per the statement recorded under Section 164 of Cr.P.C., there is no henious allegation against the petitioner. However, the entire allegations were made against A1 and he has also been arrested.

5.Considering the period of incarceration and also the fact that there is no specific overtact as against the petitioner, I am

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Magalir Neethimandram Fast Track Mahila Court, Tiruppur and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the All Women Police Station, Tiruppur, daily at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

21/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDGE
MAGALIR NEETHIMANDRAM -
FAST TRACK MAHILA COURT, TIRUPPUR

2 THE PUBLIC PROSECUTOR
<https://hcservices.ecourts.gov.in/hcservices/>
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
UDUMALPET,
TIRUPPUR DISTRICT

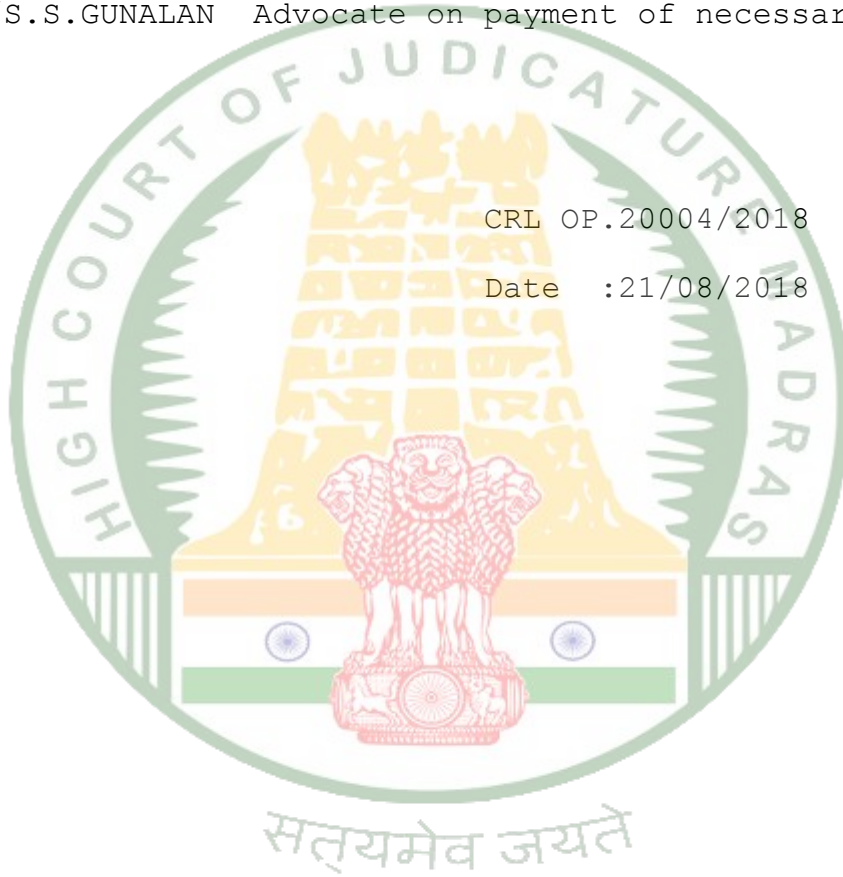
5 THE OFFICER INCHARGE
ALL WOMEN POLICE STATION, TIRUPPUR

+1CC to M/S.S.GUNALAN Advocate on payment of necessary charges
SR.NO. 15698

CRL OP.20004/2018

Date :21/08/2018

CM 21/08/2018



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