



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7615 of 2018

A.ANGUSAMY

... PETITIONER / A 1

Vs

THE STATE THROUGH
THE SUB INSPECTOR OF POLICE
ELAIYANKUDI POLICE STATION,
SIVAGANGAI DISTRICT
CRIME NO. 88/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.CHELLAPANDIAN Advocate

For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner / Accused No.1, who was arrested and remanded to judicial custody on 18.04.2018 for the offences punishable under Section 79, 81 of Juvenile Justice Act r/w 370 I.P.C r/w 4 and 5 Bonded Child Labour Act, in Crime No.88 of 2018, on the file of the respondent police seeks bail.

2.The case of the prosecution is that A2, who is none other than the son of A1 is alleged to have engaged two minor children as bonded labourers for the purpose of engaging them to rear the cattles in their farms.

3.On the side of the petitioner, it is stated that the petitioner is an innocent person, he has engaged only the father of the minor children to work in his farms and that he has not committed any offence as alleged by the prosecution and hence, prayed that the petitioner to be released on bail.

4.On the side of the respondent, it is stated that the investigation is yet to be completed and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and considering the fact that no previous case is pending against the petitioner and that the petitioner is in judicial custody from



18.04.2018 onwards, this Court is inclined to grant bail to the petitioner. Accordingly, **the petitioner is ordered to be released on bail** subject to the following conditions:

(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 learned Judicial Magistrate, Elaiyankudi, Sivagangai District.

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

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

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

(v) on breach of any of the aforesaid conditions, the 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 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]**.

sd/-

09/05/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE,
ELAIYANKUDI, SIVAGANGAI DISTRICT
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT
 - 3 THE SUB INSPECTOR OF POLICE
ELAIYANKUDI POLICE STATION, SIVAGANGAI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 5 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI
- +1. CC to M/S.M.CHELLAPANDIAN Advocate SR.No.8331
MSA/AAV
JAM/10/05/2018/ PMI/GSR/ 2P-7C

ORDER

IN

CRL OP(MD) No.7615 of 2018

Date : 09/05/2018