



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

Thursday, the Sixth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15568 of 2018

VASUKI

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REPRESENTED THROUGH,
THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT.
(IN CRIME.NO.402 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.INDRACHITHU Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 174 Cr.P.C @ Section 5(L)(ii)(J) and Section 6 of POCSO Act, 2012 r/w Section 80 of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.402 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner's daughter aged about 17 years had sexual intercourse with the first accused in this case, due to which, she became pregnant and eventually give birth to female child at one private hospital. The petitioner herein entrusted the new born child with the private hospital and left for home along with her daughter. Even as the child entrusted with the private hospital, one staff working in that hospital sold the new born baby to third party. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is illiterate woman and at that time she feared legal entangle and troubles and thought that taking the female child to her house, which allegedly born to her minor daughter, would ultimately land her in jail as her daughter was not completed the age of 18 years. Hence, she entrusted the new born baby with the private hospital. Hence, he prays for anticipatory bail to the



petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the investigation is pending.

5.Taking note of the facts and circumstances, 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 before the learned District Mahila Court Madurai and on her executing 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 Judge concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6.The petitioner shall appear before the concerned Judge within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

06/09/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MAHILA COURT,
MADURAI.
- 2 THE INSPECTOR OF POLICE,
THIRUMANGALAM TOWN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.INDRACHITHU Advocate SR.No.17016
PS/JC/SAR-1:12/09/2018:2P/5C

ORDER

IN

CRL OP(MD) No.15568 of 2018

Date :06/09/2018