



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/02/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.2661 of 2020

Sivaranjani

... Petitioner/Accused

Vs

State Rep.by
The Inspector of Police,
Karimedu Police Station.
Crime No.1211/2019.

... Respondent/Complainant

For Petitioner : M/s.D.Selvaraj,
Advocate.

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Cr.M.P.No. 59/2020 on the file of the Learned Special Court for Exclusive trial Cases of under POCSO Court, Madurai.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner is in custody since 06.01.2020 for the offences punishable under section Man Missing and 366(A) of I.P.C., r/w Sections 5(1), 6 of POCSO Act, 2012 and Sections 9 and 10 of Prevention of Child Marriage Act, in Crime No.1211 of 2019 on the file of the respondent police. She seeks bail.

3. It is a strange case of the accused being a woman and the victim being a minor boy. I went through the contents of the statement recorded under Section 164 of Cr.P.C. There are no serious allegations against the petitioner. In any event, the boy appears to have voluntarily accompanied the petitioner and went with her. In any event, the continued incarceration of the petitioner is



4. Taking note of the facts and circumstances of this case, I am 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;

(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 Special Court for Exclusive trial Cases of under POCSO Court, Madurai.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
14/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE SPECIAL JUDGE FOR EXCLUSIVE TRAIL CASES
OF UNDER POCSO COURT, MADURAI.
 2. THE INSPECTOR OF POLICE,
KARIMEDU POLICE STATION.
 3. THE SUPERINTENDENT, CENTRAL JAIL,
MADURAI.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/s.N.SENTHILKUMAR Advocate SR.No.6297

ORDER
IN
CRL OP(MD) No.2661 of 2020
Date :14/02/2020

MS/PN/SAR-2/14.02.2020/2P.6C

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