

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 354 of 2021**

- P. Krishna Moorthy, S/o V.C. Palanisamy, aged about 40 years, R/o 3/141, Vijaymangalam, Perundurai Taluk, Tamilnadu.

---- Applicant**Versus**

- State of Chhattisgarh - Through : Station House Officer - Narayanpur, District Narayanpur (C.G.)

---- Respondent

For Applicant : Mr. Siddharth Rathod, Advocate.
For Respondent. : Mr. Roshan Dubey, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/06/2021**

Proceeding through video conferencing.

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No.109/2019 registered at Police Station - Narayanpur, District Narayanpur (C.G.) for commission of the offence punishable under Sections 363, 370 IPC, Section 79 of Juvenile Justice (Care and Protection of Children) Act and Section 14 of Child and Adolescent Labour (Prohibition and Regulation) Act, 1986.
2. The prosecution story, in brief, is that on 03.07.2019, complainant namely Rajmati Netam lodged a missing report of her daughter namely Ku. Suman Netam before Police Station Narayanpur, on the basis of which, offence has been registered. During investigation, it was revealed that victim

Ku. Suman Netam, who is minor, was forced to work at the applicant's Mill at Vijaynagaram, Tamilnadu. Based on this, offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that when the complainant approached the applicant for employment in his Mill through Labour Agent, he after due verification of Aadhar Card, gave her employment in his Mill. According to the Aadhar Card of the complainant, she was major at the time of giving employment in his office. Therefore, the applicant may be granted anticipatory bail.
4. Counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, further considering the nature of offence and quality of evidence, without commenting anything on merit of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- with one local surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicant shall make himself available for interrogation/medical examination before the concerned investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Rajani Dubey)
Judge