



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eleventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5693 of 2022

S.FATHIMA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W-9, ALL WOMEN POLICE STATION,
CHENNAI 600049.
(CRIME NO.07/2021)

[RESPONDENT]

For Petitioner : M/S.B.KALAIARASAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest for the alleged offences under Section 8 Protection of Child From Sexual Offences Act, 2012 in Crime No.7 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. A case was registered under POCSO Act, 2012. The statement of the victim boy was recorded under Section 164 of Cr.P.C., which does not implicate the petitioner herein.

3. Hence, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned Sessions for POCSO Court, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

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(b) the petitioner and the sureties shall affix his 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;

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

(d) the petitioner shall report before the Investigating Officer as and when required and shall co-operate for investigation.

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

(f) 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 has 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;

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

-sd/-

11/03/2022

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

TRUE COPY

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

TO

1 THE SESSIONS FOR POCSO COURT,
CHENNAI.



2 THE INSPECTOR OF POLICE,
W-9, ALL WOMEN POLICE STATION,
CHENNAI 600049.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.B.KALAIARASAN Advocate on payment of necessary
charges

CRL OP.5693/2022

Date :11/03/2022

CSK 23/03/2022