



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Ninth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6815 of 2022

S.PAVAYE @ PAVAYEE @ PAVAYI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VENNANTHUR POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO. 23/2022.

[RESPONDENT]

For Petitioner : M/S. S.ARJUN Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (CrI. Side)

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 alleged offences punishable under GIRL MISSING case @ 366 of IPC r/w Sections 5(L), 6 of POCSO Act in Crime No.23 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein is the mother of the prime accused. According to the First Information Report minor girl was enticed by the main accused and he has taken her to his home and other places on the pretext that he will marry her. It is also found from the First Information Report that the cell phone and jewels of the minor girl were taken by the accused and not given back.

3. As far as this petitioner is concerned, she is the mother of the main accused and there is no specific overt act against her. Hence, this Court is inclined to grant anticipatory bail to the petitioner with 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 Fast Track Mahila Court, Namakkal 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;

(b) the petitioner and the sureties shall affix their 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 report before the respondent police as and when required;

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

(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 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]; and;

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

-sd/-

29/03/2022

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.



1 THE FAST TRACK MAHILA
COURT, NAMAKKAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
VENNANTHUR POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S. S.ARJUN Advocate on payment of necessary charges
SR.NO. 4829

CRL OP.6815/2022

Date :29/03/2022

RW 04/04/2022