



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.10799 of 2022

SUMATHI JAGANNATHAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
VENNANDUR POLICE STATION,
NAMAKKAL DISTRICT.
(CRIME NO.23 OF 2022)

[RESPONDENT]

For Petitioner : M/S.K.A.MARIAPPAN Advocate

For Respondent : MR.A.DAMODARAN, 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 Section 366 of IPC r/w Sections 5(1), 6 of POCSO Act in Crime No.23 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the victim girl and A1 had love affair with each other and had sexual relationship with her. Thereafter, the petitioner A1 had taken her to his home along with the jewels taken from her grand mother's house on the pretext that he will marry her. However, later he left her in a Home and never came back. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was only giving shelter to A1 and the victim girl. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the petitioner provided shelter to A1 and the victim girl.



5. Considering the above this Court considers that the custodial interrogation of the petitioner is not required and hence, is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate Court, Rasipuram, Namakkal District**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

06/06/2022

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 JUDICIAL MAGISTRATE,
RASIPURAM, NAMAKKAL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
VENNANDUR POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S.K.A.MARIAPPAN Advocate on payment of necessary
charges SR.NO.8537

CRL OP.10799/2022

Date :06/06/2022

TA-08/06/2022