



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11368 of 2022

VANI @ KALIVANI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VELLORE, VELLORE DIST.
CRIME NO.9 OF 2022.

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

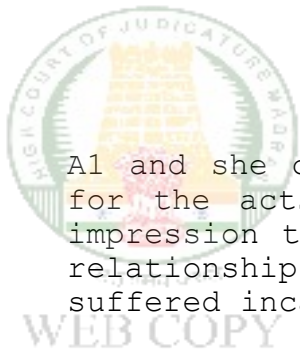
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 20.03.2022 for alleged offence under Sections 8 and 17 of Protection of Children from Sexual Offence Act, 2012 r/w Sections 354 (A) (ii) and 109 of IPC in Crime No.9 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the mother of the victim girl had relationship with A1. By taking advantage of the relationship, A1 is said to have committed sexual assault on the victim girl on several occasions. The petitioner has been arrayed as A2 and she is the mother of the victim girl. She has been roped in this case on the ground that she did not give any protection to her daughter and she allowed A1 to commit sexual assault on the victim girl.

3. Heard Mr.E.Kannadasan, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Criminal Side) for the respondent.

4. This Court carefully went through the statement given by the victim girl under Section 164 Cr.P.C., before the Court below. In the entire 164 statement, she has made several allegations only against



A1 and she categorically states that her mother is not to be blamed for the acts of A1. The entire reading of 164 statement gives an impression that the petitioner is placed in a predicament due to her relationship with A1. This Court also finds that the petitioner has suffered incarceration for nearly 60 days.

5. Taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail by imposing stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the Special Judge for Exclusive Trial Cases under POCSO Act, Vellore, and on further conditions that:-

[a] 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 report before the respondent police as and when required.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/05/2022

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 SPECIAL JUDGE FOR EXCLUSIVE TRIAL
CASES UNDER POCSO ACT,
VELLORE

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS-104.

3 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, VELLORE.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, VELLORE,
VELLORE DIST.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.7497

CRL OP.11368/2022

Date :19/05/2022

SRG 19/05/2022