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CrI.O.P.No.21893 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CrI.OP.No.21893 of 2022

Mangai @ Alamelu Mangai

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Neyveli Town Ship.
Crime No.15 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in Crime No.15 of 2022 on the file of
the respondent Police.

For Petitioner : Mr.A.Kanaka Velappan

For Respondent : Mr.C.E.Pratap
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 28.08.2022 for the offences punishable under Sections 417, 376, 294(b), 323 and 506(i) of IPC, in Crime No.15 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 in this case had induced the defacto complainant on a false promise to marry her and committed sexual intercourse with her and later, cheated her. The allegations against A2 and A3 is that when the defacto complainant had questioned A2 and A3, who are the parents of A1, they have assaulted her. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A3 in this case, who is the mother of A1. He would also submit that she is not aware of the affair and relationship between A1 and the defacto complainant and that only in order to pressurize A1 for marriage, the petitioner's name has been falsely implicated in this case. He



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would further submit that no such incident had happened and the petitioner in unnecessarily in detention from 28.08.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner is the mother of A1 and the A1 had induced the defacto complainant on a false promise to marry her, had committed sexual intercourse with her and later, cheated her. He would also submit that when the defacto complainant questioned the same, the petitioner and A2 had assaulted her. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case, the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner.



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7. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned District Munsif-cum-Judicial Magistrate, Kurinjipadi** 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 daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness 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



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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.

12.09.2022

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To

1. The District Munsif-cum-Judicial Magistrate,
Kurinjipadi.
2. The Inspector of Police,
All Women Police Station,
Neyveli Town Ship.
3. The Superintendent,
Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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