



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/05/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.9526 of 2022

1. Lakshmanan
2. Neelavathy

... Petitioners/Accused Nos.1 & 2

Vs

The State rep.by,
The Inspector of Police,
Thiruchitrambalam Police Station,
Thanjavur District.
(Crime No.125/2022)

... Respondent/Complainant

For Petitioner : Mr.N.Balasubramanian,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory bail in Crime No.125/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 374 of IPC r/w Sections 16, 17, 18 of BONDED LABOUR SYSTEM (ABOLITION)ACT, 1976 and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.125 of 2022, seek anticipatory bail.

2.The case of the prosecution is that on 22.04.2022, the defacto complainant who is working as Village Administrative Officer, lodged a complaint before the respondent police against the petitioners stating that the 1st petitioner offered a sum of Rs.40,000/- to the second petitioner for hiring her son as a bonded labour for grazing his goats in the field.

3.The learned counsel for the petitioner submitted that the petitioners are innocent persons and they have been falsely



4.The learned Government Advocate(Crl.side) appearing for the respondent police submitted that the children were rescued.

5.Considering the facts and circumstances of the case and the nature of allegation levelled against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pattukottai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only)each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall deposit a sum of Rs.10,000/- as non refundable deposit to the credit of Madras High Court Madurai Bench, Advocate Clerk's Welfare Association, (INDIAN BANK saving Account No.496039124, IFSC: IDIB000H040).

(c) the second petitioner shall report before the respondent police as and when required for interrogation and the first petitioner shall report before the respondent police on every Wednesday at 10.30 a.m., until further orders.

[d]the petitioners shall not tamper with the evidence or witness either during investigation or trial.

[e]the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

sd/-
18/05/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE
THIRUCHITRAMBALAM POLICE STATION,
THANJAVUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE OFFICER INCHARGE,
ADVOCATE CLERK'S WELFARE ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI-625 023.

+1 CC to MR.N.BALASUBRAMANIAN, Advocate (SR-4962[I]dated 20/05/2022)

ORDER
IN
CRL OP(MD) No.9526 of 2022
Date :18/05/2022

RMI
MK/VR/SAR.IV/23.05.2022/3P/7C