



WEB COPY

CRL OP(MD). 1



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11311 of 2022

1. Samim Banu,

2. Syed Arif,

3. Sehanash Banu, ... Petitioners/Accused Rank Not known

Vs

State Rep.by

The Inspector of Police,

Tallakulam All Women Police Station,

Madurai District.

Crime.No.37 of 2022. ... Respondent/Complainant

For Petitioner : MR.T.Palanisamy, Advocate.

For Respondent : MR.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 37 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 80 (A) of Juvenile Justice (Care and Protection of Children) Act, 2015, in Crime No.37 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that one Muthumari has delivered a female child and the same was illegally handed over to the petitioners 2 and 3. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.



4. Heard the learned Government Advocate (Crl. Side) for the respondent police.

5. The Respondent / Investigating Officer appeared before this Court and submitted that because of childless to the petitioners 2 and 3, baby was handed over to them by her mother viz., Muthumari, without expecting money or any other motive and also not following the procedure of adoption. Now, the baby has been secured and handed over to the Kennet Hospital, Madurai.

6. Considering the submission made by the Investigating Officer and also considering the fact that the mother of the baby is not willing to take her to home, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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, before the learned Judicial Magistrate NO.II, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
21/07/2022

/ TRUE COPY /

/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



3 THE INSPECTOR OF POLICE
TALLAKULAM ALL WOMEN POLICE STATION,
MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.PALANISAMY, Advocate (SR-7487[I] dated 22/07/2022)

ORDER

IN

CRL OP(MD) No.11311 of 2022

Date :21/07/2022

trp

PKP/SVR/SAR-4/27.07.2022/3P/6C