



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.14221 of 2022

Selvakumari

... Petitioner/Accused No.2

Vs

The State rep.by,
The Inspector of Police,
Palani Taluk Police Station,
Dindigul District.
Crime No.318 of 2021.

... Respondent/Complainant

For Petitioner : Mr.D.Senthil, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.318 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 24.06.2022 for the alleged offence under Sections 363, 294(b), 323 IPC and Sections 5(1), 5(j), 5(ii) r/w 6, Section 21(1) of POCSO Act, 2012, in Crime No.318 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl, aged about 15 years was found missing on 27.03.2021. Based on the complaint of the defacto complaint, this case has been registered for "Girl Missing". After investigation, it was revealed the fact that the first accused married the victim girl. The involvement of second accused come to light and so alteration report also filed by the respondent Police.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. This petitioner is the

<https://www.mca.gov.in/> the first accused.



4.The learned Additional Public Prosecutor submitted that the after the marriage, trouble arose between the first accused and the victim girl. The petitioner also abused the victim girl in the house. Later the victim girl went to her parental home and admitted in the hospital for delivery.

5.The respondent Police also appeared before this Court and stated that due to trouble caused by this petitioner, the victim girl went to her parental home. In this case, final report was filed and the same was taken on file as S.C.No.93 of 2022 on the file of Fast Track Mahila Court, Dindigul.

6.Considering the facts and circumstances of the case, stage of completion of investigation and taken cognizance also on considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

7.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judge, Fast Track Mahila Court, Dindigul, on further condition that the petitioner shall disclose the whereabouts of her son/first accused, at the time of appearance before the trial Court and report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

05/08/2022

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05/08/2022

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

TO

- 1 THE JUDGE,
FAST TRACK MAHILA COURT, DINDIGUL.
- 2 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN, MADURAI.
- 3 THE INSPECTOR OF POLICE
PALANI TALUK POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.D.SENTHIL, Advocate (SR-8191[I] dated 05/08/2022)

ORDER

IN

CRL OP(MD) No.14221 of 2022

Date :05/08/2022

PNM

MK/PN/SAR.I/05.08.2022/2P/6C

<https://www.mhc.tn.gov.in/judis>