



Crl.O.P.No.2235 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 75 of the Juvenile Justice (Care and Protection of Children) Act 2015 and Section 323 of IPC in Crime No.21 of 2023, seeks anticipatory bail.

2. The case of prosecution is that the petitioner committed cruelty by beating her sister's minor daughter. Hence, the complaint.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the petitioner committed cruelty by beating her sister's minor daughter. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5.Considering the facts and circumstances of the case and also considering the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned **XV Metropolitan Magistrate, George Town, Chennai** on condition that the petitioner shall execute a 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and 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 is directed to report before the respondent police as and when required for interrogation;



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[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 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

02.02.2023

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