



Crl.O.P.No.9262 of 2023

Crl.O.P.No.9262 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 75 & 79 of The Juvenile Justice (Care and Protection of Children) Act, 2015, and Sections 3 and 3A of the Child and Adolescent Labour (Prohibition and Regulation) Act 1986 and Sections 16, 17 and 18 of Bonded Labours System (Abolition) Act 1976 and Section 370 and 374 of IPC in Crime No.76 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Saravanakumar, Tahsildhar, Purasawalkam Circle is that the accused had engaged in the business of manufacturing of bags and they have used child labour in the manufacturing unit. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given. He would further submit that even during the inspection, four boys were undergoing vacation course in the bag manufacturing unit and that a false complaint has



Crl.O.P.No.9262 of 2023

been given. He would further submit without prejudice to his rights, the petitioner has deposited a sum of Rs.50,000/- each for four victim boys before the Child and Adolescent Labour Rehabilitation vide IOB Bank Account No.171101000009148 and thereby he would seek for anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit the petitioner along with other accused were engaged in bags manufacturing unit and they have indulged the child labour and from the said unit, four victims were rescued. Thereby, he would oppose to the grant of anticipatory bail to the petitioner.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the petitioner has deposited an amount of Rs.50,000/- in favour of each of the victim who were stated to have worked under them and the receipts are also produced before this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CrI.O.P.No.9262 of 2023

8. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the ***learned VII Metropolitan Magistrate, George Town, Chennai***, on condition that the petitioner shall execute 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 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 shall report before the respondent police everyday at 10.30 a.m, for a period of two weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during



CrI.O.P.No.9262 of 2023

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 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;

22.06.2023

Vv

A.D.JAGADISH CHANDIRA. J.



WEB COPY



CrI.O.P.No.9262 of 2023

Vv

CrI.O.P.No.9262 of 2023

22.06.2023