



Crl.O.P.No.9 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.9 of 2024

Sita Saroj (a) Sangeetha

... Petitioner/A2

Vs.

The State represented by
The Inspector of Police,
C3, Seven Wells Police Station,
George Town,
Chennai – 600 001.
(Crime No.184 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.184 of 2023 on the file of
the respondent.

For Petitioner : Mr.Gokula Rao

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



CrI.O.P.No.9 of 2024

WEB COPY

ORDER

The petitioner/A2, who was arrested and remanded to judicial custody on 17.11.2023 for the offences punishable under Sections 14(1) and 14(1A) of Child Labour Act and Section 16 of Bonded Labour Act and Section 79 of Juvenile Justice Act and Section 374 of IPC in Crime No.184 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the husband of the petitioner was running a Pani Poori micro business. The petitioner claimed that she is a house wife. But the respondent claimed that five minor children and two others, who had crossed the age of 18 were employed by the accused persons, which included this petitioner.

3.Taking into consideration the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner, but however, directing **the petitioner to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to each one of the victims, to the credit of Crime No.184 of 2023 before the learned VIII Metropolitan Magistrate, George Town, Chennai. On such deposit, the The learned VIII Metropolitan Magistrate, George Town, Chennai, may issue notice to the victims and deposit the amount of Rs.10,000/- in the name of minor victims in the**



Crl.O.P.No.9 of 2024

fixed deposit account in any Nationalized Bank, which would earn interest and the amount to be retained till they attain the age of 18 years and thereafter, each one of the children can take a decision about the amount and to the other two victims, who had crossed the age of 18 years, the amount of Rs.10,000/- each may be handed over. The learned Metropolitan Magistrate, may ensure the proper identity and also get proper acknowledgement for receipt of the amounts from the two victims, who had crossed the age of 18 years. If the victim, whether they are minor or attained the age of majority are not identifiable, the amounts may be retained in the fixed deposit till the conclusion of trial. If still on conclusion of trial, they are not identifiable, if the petitioner is acquitted the amounts may be handed back to the petitioner and if the petitioner is convicted, appropriate orders to remit the amount to the Government account may be passed on conclusion of trial. But every endeavour shall be made to identify the victims.

4. Accordingly, the petitioner is ordered to be released on bail on executing 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 learned VIII Metropolitan Magistrate, George Town, Chennai, and on further conditions



[a] 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 appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 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.

18.01.2024

smv

To



CrI.O.P.No.9 of 2024

WEB COPY

- 1.The VIII Metropolitan Magistrate, George Town, Chennai,
- 2.The Inspector of Police,
C3, Seven Wells Police Station,
George Town,
Chennai – 600 001.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN, J.



WEB COPY



Crl.O.P.No.9 of 2024

smv

Crl.O.P.No.9 of 2024

18.01.2024