



Crl.O.P.No.12507 of 2024

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T.V.TAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 324, 326 of IPC and Section 75 of the Juvenile Justice Act in Crime No.94 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the step mother of the minor victim girl born to the petitioner's second husband and his first wife. On 26.04.2023, when the minor child was involved in masturbating in bathroom using hand shower, her parents warned her. Again the minor girl is alleged to have involved in masturbating and therefore, the parents of the child have slapped her due to which, she left out of home. Thereafter, the respondent police admitted the child in Medway Hospital and found a fracture on her left wrist. Hence, based on the complaint given by the District Welfare Committee, the case has been registered.

3. The learned counsel appearing for the petitioner submitted that the petitioner as a step mother, only warned the victim child that too in the presence of the her biological father for the best interest of the child and



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aggrieved by the same, the mother has given a false complaint against the petitioner. Already, the first accused/A1 has been granted anticipatory bail. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that already there is a family dispute between the parties. He further submits that co-accused in this case has already released on anticipatory bail and the investigation in this case is almost completed. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and also considering the fact that the investigation in this case is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the



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learned Judicial Magistrate, Ambattur, 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 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 Court concerned 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, on every Saturday at 10.30 a.m., for a period of eight 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 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 has been imposed and the petitioner released on anticipatory bail by the learned Magistrate/Trial



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Court himself as laid down by the Hon'ble Supreme Court in
P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560];
and;

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

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