



Crl. O.P. No.19032 of 2024

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WEB CO P.DHANABAL.J.,

The petitioners apprehend arrest for the alleged offence under Section 75 of Juvenile Justice Act, 2015 in Crime No.151 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The defacto complainant, who is the District Child Protection Officer, Coimbatore lodged a complaint before the respondent police stating that the petitioners are running a Dieter Hueske Home for boy children. They have not properly run the home and the place was very dirty and uncomfortable to the children. The minor boys are drinking water taken from the roadside. The boys are doing the work of cleaning the kitchen and other places, but they are not given proper food. Hence the case.

3.The learned counsel for the petitioners would contend that false case has been registered against these petitioners and they have not committed any offence as alleged in the FIR. The orphanage is now closed. The statement of the witnesses were recorded and hence they seek anticipatory bail.

4.The learned Government Advocate (Criminal Side) would submit



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that the petitioners have not maintained the Home, run for boy children, properly and they have not given proper food and water to the children and child harassment is there. Hence he objected to grant anticipatory bail to the petitioners. He further submitted that there is no previous case against the petitioners.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side, considering the fact that there is no previous case as against the petitioners, already children were shifted to other place and also considering the nature of offence, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate-VI, Coimbatore** 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 learned



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Magistrate concerned and on further condition that:

WEB COPY [a] the petitioners shall report before the respondent police on every Saturday at 10.00 a.m. for 4 weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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].

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S. 2023.

09.08.2024

mjs

To

1. The Judicial Magistrate-VI, Coimbatore
2. The Inspector of Police, Thondamuthur Police Station, Coimbatore.
3. The Public Prosecutor, High Court, Madras.

P.DHANABAL,J



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