



CrI.O.P.No27058 of 2024

CrI.O.P.No.27058 of 2024

WEB COPY

P.DHANABAL,J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 313, 417, 506(i) of IPC and under Section 4 of Women Harassment Act and under Section 66 of IT Act in Crime No.18 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had love affair with the petitioner's son/A1. Under the guise of promising to marry her, the petitioner's son had physical sexual relationship with the defacto complainant. As a result, she got pregnant. The same was informed to the him, but he has refused to marry her and told her to abort the fetus. It is further alleged that the petitioner's son had given papaya juice to her daily and aborted the pregnancy. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and she has not committed any such offence



Crl.O.P.No27058 of 2024

as alleged by the prosecution. He further submits that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the the petitioner's son had physical sexual relationship with the defacto complainant by giving false promise to marry her. After she got pregnancy, the petitioner's son has refused to marry her and he had given papaya juice to her daily and aborted the feutus. He further submits that the prime accused had already been arrested and the petitioner is the mother of the prime accused. He also states that she has no previous cases against her. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

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



CrI.O.P.No27058 of 2024

WEB COPY

6. Considering the nature of offence, the prime accused already been arrested and this petitioner is only mother of A1, no any specific overt act attributed as against the petitioner and the main allegations are against the petitioner/accused/A1 and also the fact that there is no previous against her and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XV Metropolitan Magistrate Court, 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., until further orders.



CrI.O.P.No27058 of 2024

WEB COPY

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

[c] the petitioner 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 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].

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

29.10.2024

Vv



WEB COPY



CrI.O.P.No27058 of 2024

P.DHANABAL, J.

Vv

CrI.O.P.No.27058 of 2024

29.10.2024