



CRL OP(MD). No.20890 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20890 of 2024

S Muthulakshmi,

... Petitioner/ Accused No. Rank not known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
All Women Police Station,
K.Pramathi,
Karur Rural,
Karur District.
Crime No.13/2024..

... Respondent/Complainant

For Petitioner : Mr.G.Mariappan,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.13 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ accused, who apprehends arrest at the hands of the respondent Police for the offences under Sections 5(1), 5(n), 5(j) (ii) and Section 6 of POCSO Act 2012 r/w Sections 506(i) and 312 IPC r/w Section 211 of BNS, 2023 in Crime No.13 of 2024, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the victim girl was sexually assaulted by Accused Nos.1 and 2. She became pregnant and she was taken to the hospital by Accused Nos.3 and 4 in which Accused No.6 was working as a Doctor.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner (Accused No.6) was the Doctor, who is said to have aborted the child and also considering the defence taken by the petitioner to the effect that the persons, who brought the victim girl to the hospital, informed that one of them is the mother of the victim girl and there are no previous cases against



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the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

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5. 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 days from the date of receipt of a copy of this order, before the learned Additional Sessions Judge, Fast Track Mahila Court, Karur, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police 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



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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]*; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
29/11/2024

/ TRUE COPY /

/12/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

- 1 THE ADDITIONAL SESSIONS JUDGE,
FAST TRACK MAHILA COURT, KARUR.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
K.PRAMATHI,
KARUR RURAL,
KARUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+2 CC to M/s.G.MARIAPPAN, Advocate (SR-14739[I] dated 29/11/2024)

ORDER
IN
CRL OP(MD) No.20890 of 2024
Date :29/11/2024

SS/VR/SAR- /05/12/2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023