

Crl.O.P.No.15469 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-05-2025

CORAM

THE HONOURABLE MR JUSTICE N.SENTHILKUMAR

CRL.OP.No.15469 of 2025

Malliga

Petitioner

Vs

The State Rep by
The Inspector of Police
Tirupattur Taluk Police Station,
Tirupattur District
(Cr.No.140 of 2025)

Respondent

For Petitioner : Mr.E.Kannadasan

For Respondent: Mr.A.Gopinath
Government Advocate (Criminal Side)

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in the event of his arrest by the respondent police in Crime No.140 of 2025 pending investigation on the file of the respondent police.

ORDER

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 16, 5(1) r/w Section 6 of Protection of Children from Sexual Offence Act, 2012, in Crime No.140 of



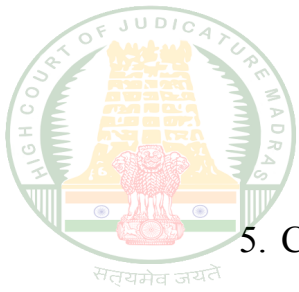
Crl.O.P.No.15469 of 2025

2025, on the file of the respondent Police, seeks anticipatory bail.

WEB COPY 2. The case of the prosecution is that the petitioner/A2 is alleged to have helped her son who instigated the daughter of the defacto complainant to elope with him. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that totally there are two accused. A1 who is the son of the petitioner is still in custody. Firstly, the complaint was registered as 'girl missing'. The daughter of the defacto complainant and the son of the petitioner loved each other and she eloped with A1 and stayed in a rental house where they had physical relationship. On 17.04.2025, the victim was produced before the respondent police and her statement was recorded. Thereafter, the case was altered into Section 16, 5(1) r/w Section 6 of Protection of Children from Sexual Offence Act, 2012. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the ***learned District and Sessions Court, Tirupattur***, on condition that the petitioner shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

(a) the petitioner shall report before the respondent police as and when required for interrogation;

[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



Crl.O.P.No.15469 of 2025

N.SENTHILKUMAR.,J.

Gv/jai

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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.2023.

21.05.2025

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.”

To:

1.The learned District and Sessions Court, Tirupattur.

2. The Inspector of Police
Tirupattur Taluk Police Station,
Tirupattur District
(Cr.No.140 of 2025)

3.The Public Prosecutor,
High Court, Madras.

CRL .OP No. 15469 of 2025