



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Sixth day of May Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.8967 of 2015

TAMILSELVAM

... PETITIONER/ SOLE ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, VIRUDHUNAGAR DT,

CRIME NO.12/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.RAMASAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 12 of the Protection of Children from Sexual offences Act, 2012 (POSCO Act, 2012) in Crime No.12 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3.It appears that when the defacto complainant was attending nature's call, the petitioner had gone and pulled her hand and apart from that there is no serious allegation against the petitioner.

4. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Mahalir Neethimandram, Srivilliputhur, 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 shall stay at Madurai and appear before the Talakkulam Police Station daily at 10.30 a.m for a period of four weeks.



[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] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl. Side), as to whether the petitioner is complying with the condition or not.

sd/-

06/05/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE MAHALIR NEETHIMANDRAM, SRIVILLIPUTHUR.

2.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3.THE OFFICER INCHARGE,
TALLAKULAM POLICE STATION, MADURAI.

4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VIRUDHUNAGAR DISTRICT.

+1. CC to M/S.S.RAMASAMY Advocate SR.No.25124

ORDER

IN

CRL OP(MD) No.8967 of 2015

Date :06/05/2015

RG.07.05.2015

2P.6C.