



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

Tuesday, the Fifth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.24996 of 2015

K.AJITHKUMAR

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI.
(CR.NO. 514/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.THAMIMUL ANSARI Advocate
For Respondent : MR.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused, in Crime No.514 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 27.11.2015 for the alleged offences punishable under Girl Missing @ Sections 366(A), 5(1) and 6 of POCSO Act, 2012 and hence, seeks bail.

2. The case of the prosecution is that the petitioner on giving false promise to marry the victim girl had sexual intercourse and on 27.11.2015 the petitioner as well as the victim girl, who is aged about 16 ½ years were found in Mattuthavani Bus Stand, Madurai and the petitioner was arrested and remanded to judicial custody.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence. Further, it is stated that the victim girl was in love with him and on coming to know, the parents of the victim girl arranged marriage with the de-facto complainant and the victim girl informed the petitioner to come and take her from her house and on her own volition, she left the house and the petitioner has not committed any offence.

<https://hcservices.ecourts.gov.in/hcservices/> learned Government Advocate (Crl.side) submitted that the victim girl was secured and she gave a statement that she left



the house on her own and no one was kidnapped her and the same is recorded and now, she is with her parents custody.

5. Considering the facts and circumstances of the case and also considering the statement given by the victim girl that she was not kidnapped by the petitioner and the victim girl was secured, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Judge, Fast Track Mahila Court, Sivaganga and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation.

sd/-
05/01/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

- 1 THE JUDGE, FAST TRACK MAHILA COURT, SIVAGANGA .
- 2 THE OFFICER-IN-CHARGE, DISTRICT PRISION, THANJAVUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION, SIVAGANGAI.

+1. CC to M/S N.THAMIMUL ANSARI Advocate SR.No.320

akm/05.01.2016/2p-6c/GSV/AN/SAR-I

ORDER
IN
CRL OP (MD) No.24996 of 2015
Date :05/01/2016