



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

Tuesday, the Twentieth day of December Two Thousand Sixteen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23554 of 2016

WEB COPY

ERULESWARAN

... PETITIONER / SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMESWARAM,
RAMANATHAPURAM DISTRICT
IN CRIME NO.8 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.JEGADEESWARAN Advocate

For Respondent : M/S.P.KANDASAMY, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

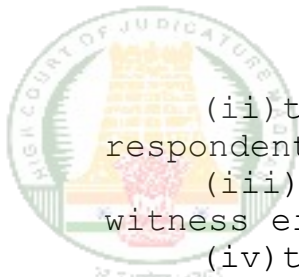
The petitioner / accused, was arrested on 24.11.2016 for the offences punishable under sections 341, 294(b), 506(ii) of IPC and sections 12 of Protection of Children from Sexual Offences Act, 2012 in Crime No.8 of 2016 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner states that the petitioner is the sole accused in this case and he said to have harassed the minor victim girl in this case and both are close relatives and the petitioner was arrested and in custody from 24.11.2016 onwards.

3.The learned Governemnt Advocate(Crl.Side) submitted that the victim girl was studying 10th standard on the date of occurance and the petitioner was charged under section 12 of the POCSO Act. It is also submitted that the victim girl was not touched by the petitioner herein.

4.Considering the facts and circumstances of the case and also the nature of charge against the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i)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 Fast Track Mahila Court (FAC), Additional District Court, Ramanathapuram;



(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;
(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;
(iv) the petitioner shall not abscond either during investigation or trial;
(v) on breach of any of the aforesaid conditions, the 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 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].

sd/-
20/12/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.1)

TO

- 1 THE ADDITIONAL DISTRICT JUDGE
FAST TRACK MAHILA COURT (FAC),
ADDITIONAL DISTRICT COURT, RAMANATHAPURAM.
- 2 THE OFFICER IN CHARGE
DISTRICT PRISON, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMESWARAM,
RAMANATHAPURAM DISTRICT
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.JEGADEESWARAN Advocate SR.No.82081

ORDER
IN
CRL OP(MD) No.23554 of 2016
Date :20/12/2016

anr/ck/sar1/21.12.2016/2p/6c