



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

Wednesday, the Twenty First day of December Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.23624 of 2016

XAVIER

... PETITIONER / SOLE ACCUSED

Vs

State rep.by its
THE INSPECTOR OF POLICE,
PALUGAL POLICE STATION,
KANYAKUMARI DISTRICT
CRIME NO.213 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.JOSEPH SATHIANESON Advocate

For Respondent : Mr.P.Kandasamy Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

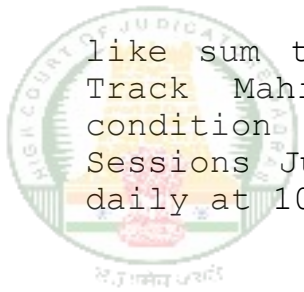
The petitioner/sole accused, who was arrested and remanded to judicial custody on 18.11.2016 for the alleged offences punishable under Sections 6 r/w 5(a)(iii) and 4 r/w 3(a) of Protection of Children from Sexual Offences Act, 2012, in Crime No.213 of 2016 on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that the petitioner sexually assaulted the victim boy.

3. The learned counsel for the petitioner states that the petitioner is the sole accused in this case and he is a police official and the case is falsely foisted by the father of the victim boy, who is a drunkard.

4. The learned Government Advocate(Crl. Side) appearing for the respondent on instructions submitted that the victim is aged about 14 years and he is studying 9th standard on the date of occurrence and no 161 Cr.P.C statement was recorded from the victim.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain condition. Accordingly, the petitioner is ordered to be released on bail on each 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 Sessions Judge, Fast Track Mahila Court, Kanyakumari at Nagercoil and on further condition that the petitioner shall appear before the learned Sessions Judge, Fast Track Mahila Court, Kanyakumari at Nagercoil, daily at 10.30., a.m., until further orders.

sd/-

21/12/2016

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE SESSIONS JUDGE
FAST TRACK MAHILA COURT, KANYAKUMARI AT NAGERCOIL
- 2 THE OFFICER INCHARGE
DISTRICT JAIL, NAGERCOIL
- 3 THE INSPECTOR OF POLICE,
PALUGAL POLICE STATION,
KANYAKUMARI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.JOSEPH SATHIANESON Advocate SR.No.82251

sm:SS2:SAR 3:21/12/2016:2P/6C

ORDER

IN

CRL OP(MD) No.23624 of 2016

Date :21/12/2016