



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

Friday, the Eleventh day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.3852 of 2016

VALAMPURI

... PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMANATHAPURAM,
CR NO.8 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.JOHN VINCENT 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 was arrested and remanded to judicial custody on 23.02.2016, for the offences punishable under Sections 9(L)(n) and 10 of POCSO Act, 2012 and 502(ii) I.P.C., in Crime No.8 of 2016, on the file of the respondent Police, seeks bail.

2. Heard Mr.A.John Vincent, learned counsel appearing for the petitioner / accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. On reading of the 164 Cr.P.C., statement of the victim girl, it appears that she was not sexually abused by the petitioner / accused and the petitioner, being an ex-service man, used to come drunk and pick quarrel with his wife and on account of which his wife has lodged the present complaint against him.

4. Taking into consideration the nature of allegations made against the petitioner / accused, this Court is of the view that this is a fit case to grant bail to the petitioner / accused. Accordingly, he is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner / accused 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 learned Sessions Judge, Fast Track Mahila Court, Ramanathapuram.

- (ii) the petitioner / accused shall report before the respondent police as and when required for interrogation.



WEB COPY

- (iii) the petitioner / accused shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner / accused shall not abscond either during investigation or trial.
- (v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner / accused in accordance with law as if the conditions have been imposed and the petitioner / accused 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]**.

5. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-

11/03/2016

/ TRUE COPY /

Sub-Assistant Registrar

TO

1 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, RAMANATHAPURAM.

2 -DO-THRO' THE PRINCIPAL SESSIONS JUDGE,
RAMANATHAPURAM.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE OFFICER-IN-CHARGE,
SUB-JAIL, RAMANATHAPURAM.

5 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, RAMANATHAPURAM.

+1. CC to M/S A.JOHN VINCENT Advocate SR.No.13871

akm/11.03.2016/2p-7c/MP/AN/SAR-I

ORDER

IN

CRL OP(MD) No.3852 of 2016

Date :11/03/2016