



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

Monday, the Thirteenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.2096 of 2017

THAMILARASAN,

... PETITIONER /SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
THOGAMALAI POLICE STATION,
KARUR DISTRICT.

(CRIME NO.566 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SURESH Advocate

For Respondent : MR.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

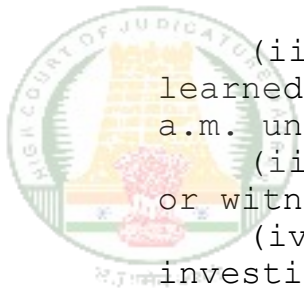
The petitioner/sole accused, was arrested on 26.12.2016 for the offences punishable under Section 6 of Protection of Child From Sexual Offences Act, 2012 (POCSO Act) in Crime No.566 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 06.02.2016 at about 12.00 p.m., the petitioner/accused induced the victim and had sexual relationship with her.

3. The learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and due to family dispute, the false complaint has been given against him.

4. Considering the belated complaint and the statement of the witness denying any treatment given to the victim girl on 24.05.2016, as alleged in the F.I.R, 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 learned Judicial Magistrate No.I, Kulithalai.



(ii) the petitioner is directed to appear before the learned Judicial Magistrate No.I, Kulithalai 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/-
13/03/2017

/ TRUE COPY /

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

AKV
TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KULITHALAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT
 - 3 THE INSPECTOR OF POLICE,
THOGAMALAI POLICE STATION, KARUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
 - 5 THE SUPERINTENDENT CENTRAL PRISON, TRICHY
- +1. CC to M/S.M.SURESH Advocate SR.No.14010
- GJM/PM/PN/SAR-2-13.3.17-2P-7C

ORDER
IN
CRL OP(MD) No.2096 of 2017
Date :13/03/2017