



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

Thursday, the Second day of August Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.13684 of 2018

PARAMESWARAN

... PETITIONER / ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
ALL WOMEN'S POLICE STATION,
NAGERCOIL,
KANNIYAKUMARI DISTRICT
CRIME NO.29 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.G.VAIRAM SANTHOSH, Advocate.

For Respondent : Mr.A.ROBINSON, 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 sole accused, is in custody since 15.07.2018 for the offence punishable under Sections 8 and 9 (m) of POCSO Act, 2012 in Crime No.29 of 2018, on the file of the respondent Police and seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3. The learned counsel appearing for the petitioner alleges that there was a prior motive between the petitioner and the de facto complainant.

4. Fortunately, the degree of molestation is not all that severe. The petitioner is aged about 58 years. Taking into consideration of the facts and circumstances, this Court is inclined to enlarge the petitioner on bail. 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
<https://hcservices.ecourts.gov.in/hcservices/> RS.10,000/- (Rupees Ten Thousand Only) each with two
sureties, each for a like sum to the satisfaction of the



learned Sessions Fast Track Mahila Judge, Kanyakumari Division, Nagercoil.

(ii) the petitioner shall appear before the respondent Police as and when required for interrogation.

(iii) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

02/08/2018

/ TRUE COPY /

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

TO

1. THE SESSIONS FAST TRACK MAHILA JUDGE,
KANYAKUMARI DIVISION, NAGERCOIL.

2. THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.

3. THE INSPECTOR OF POLICE
ALL WOMEN'S POLICE STATION,
NAGERCOIL, KANNIYAKUMARI DISTRICT

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

+1. CC to M/S.G.VAIRAM SANTHOSH, Advocate, SR.No.14894.

ORDER

IN

CRL OP(MD) No.13684 of 2018

Date : 02/08/2018

TRP

RAM/PN/SAR 1/03.08.2018/2P/6C