



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

Monday, the Twenty Second day of October Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP (MD) No.18462 of 2018

D.KAMALDEEN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
DEVAANAPATTI POLICE STATION,
THENI DISTRICT.
(CRIME NO.295/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.M.A.JINNAH Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 11.08.2018 for the offences punishable under Section 8 of Protection of Child from Sexual Offences Act, 2012, in crime No.295 of 2018, on the file of the respondent police seeks bail.

2.The case of the prosecution is that the victim was a minor and she was studying 7th standard. When she went to the fancy store owned by the petitioner to purchase bangles, she was sexually harassed by the petitioner and others and he used to do the same harassment daily by giving ten rupees to her. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is arraigned as A2 and he is an innocent person and he has nothing to do with the commission of offence and A1 has already been released on bail by the Court vide order dated 13.10.2018 made in Crl.O.p.(MD) No.17105 of 2018 and hence he sought for bail.

4.The learned Additional Public Prosecutor would submit that the investigation is pending and he fairly submit that already A1 was released on bail..



5. Considering the fact and circumstances of the case and considering the fact that A1 was already released on bail, this Court is inclined to grant bail to the petitioner with certain conditions. 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 Sessions Judge for Mahila Court, Theni.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

sd/-
22/10/2018

/ TRUE COPY /

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

TO

- 1 THE SESSIONS JUDGE FOR
MAHILA COURT, THENI.
 - 2 THE INSPECTOR OF POLICE,
DEVAANAPATTI POLICE STATION, THENI DISTRICT.
 - 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.M.A.JINNAH Advocate SR.No. 19931

ORDER
IN
CRL OP(MD) No.18462 of 2018
Date :22/10/2018

JM/PN/SAR 4/22.10.2018/2P/6C