



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 02/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.9252 of 2019

Kalidass,

... Petitioner/Petitioner/
Sole Accused

Vs

State Rep.by
The Sub Inspector of Police,,
All Women Police Station,
Aranthangi,
Pudukkottai District.
(Crime No.02 of 2017)

... Respondent/ Respondent/
Complainant

For Petitioner : M/s.K.Baalasundharam,
Advocate.
For Respondent : V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

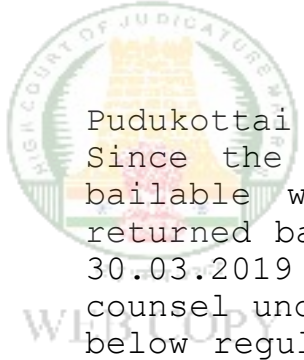
For Bail in Crime No.02 of 2017 on the file of the respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence under Section 4 of POCSO Act and 506(i) of IPC

2. Heard both sides

3. The learned counsel for the petitioner would submit that First Information Report was registered on 20.07.2017 in Crime Number 02 of 2017 and remanded to judicial custody and subsequently the petitioner was released on bail. He would further submit that since the respondent police may take time to file final report, the petitioner has gone abroad for his employment. In the meantime, the respondent police has filed a final report before the Additional District cum Sessions Judge, Additional Incharge of Mahila Court,



Pudukottai and the same was numbered as Spl.S.C.No.22 of 2017. Since the petitioner was unable to appear before the court, non bailable warrant was issued against the petitioner and when he returned back to India, he was arrested by the respondent police on 30.03.2019 and was remanded to judicial custody. The learned counsel undertakes that the petitioner shall appear before the court below regularly on all future hearing dates without fail. Hence, he prays for grant of bail to the petitioner.

4. Heard the learned Additional Public Prosecutor appearing for the State.

5. Taking into consideration all the allegations made against the petitioner and also taking into consideration the period of incarceration, this Court inclined to grant bail to the petitioner by imposing conditions.

[a] the petitioner should co-operate for trial and he should not leave India without getting permission from the trial Court.

[b] the petitioner is ordered to be released on bail on 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 Additional District cum Sessions Judge, Additional Incharge, Mahila Court, Pudukottai

[c] the petitioner shall report before the Respondent Police, daily at 10.30A.M for a period of One Month and thereafter, as and when required for the interrogation.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned 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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

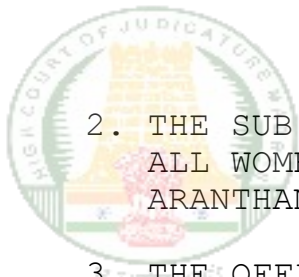
02/07/2019

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

TO

1. THE ADDITIONAL DISTRICT CUM SESSIONS JUDGE,
ADDITIONAL INCHARGE, MAHILA COURT, PUDUKOTTAI.



2. THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARANTHANGI, PUDUKKOTTAI DISTRICT.

3. THE OFFICER INCHARGE, DISTRICT PRISON,
PUDUKKOTTAI.

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

+1. CC to M/S.K.BAALASUNDHARAM Advocate SR.No.10835

ORDER

IN

CRL OP (MD) No.9252 of 2019

Date :02/07/2019

MS/PN/SAR-4/02.07.2019/3P.6C