

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 7383 of 2020

Dhanavel

... Petitioner

Vs.

The State represented by,
The Station House Officer,
Veppur Police Station,
Cuddalore District.
(Crime No.76 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., to enlarge the petitioner on bail in connection with Crime No. 76 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Kannan

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

When the matter was taken up for hearing, the learned counsel for the petitioner would submit that the petitioner was granted interim bail on 11.05.2020 in Crl.O.P.No.7383 of 2020 and he has been duly complying with the condition. He would submit that the investigation is completed and final report has been filed.

2.The learned Government Advocate (Crl.Side) would submit that investigation has been completed and final report has been filed before the Mahila Court, Cuddalore.

3. Taking into consideration the facts of the case and the submissions made by the learned counsels, the interim bail already granted by this Court on 11.05.2020 is made absolute, on following conditions:

(a) the petitioners shall surrender and execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the learned Sessions Judge, Special Court of POCSO (PoA) Act, Cuddalore, within 15 days from the date of lifting of the lockdown or the commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) **the petitioners shall report before the Mahila Court on 1st working day of every month until further orders.**

(d) the petitioners shall not commit any offences of similar nature;

(e) the petitioners shall not abscond either during investigation or trial;

(f) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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 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];

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

4. With the above directions, this Criminal Original Petition is ordered.

-sd/-
18/08/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SESSIONS JUDGE,
THE SPECIAL COURT OF POCSO (POA) ACT,
CUDDALORE.

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

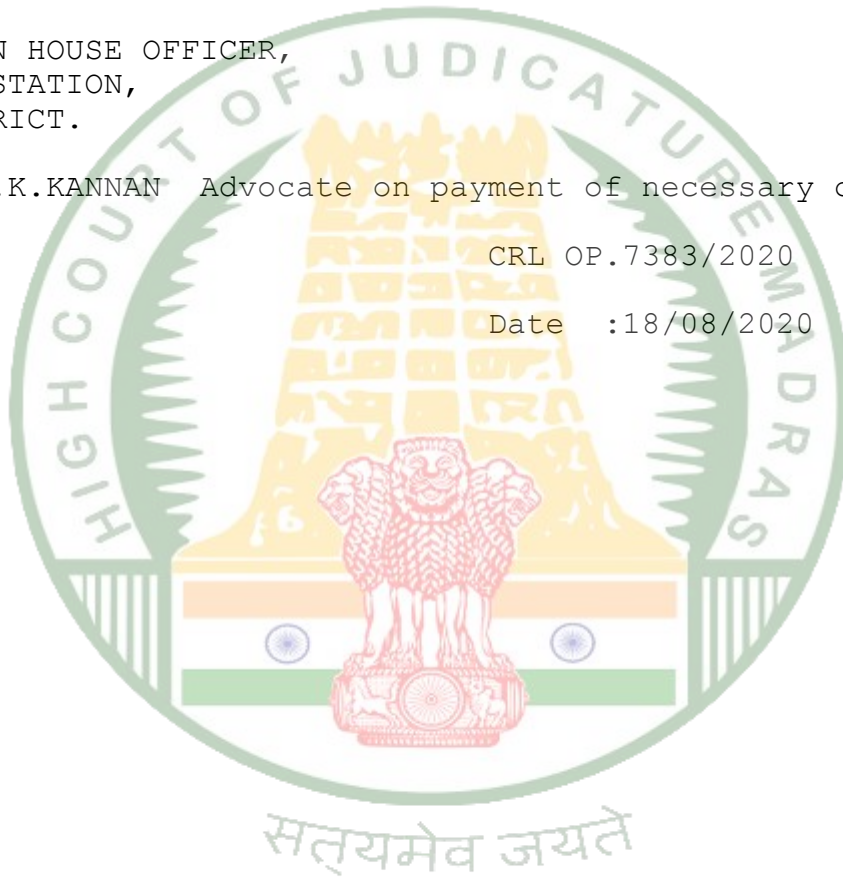
4 THE STATION HOUSE OFFICER,
VEPPUR POLICE STATION,
CUDDALORE DISTRICT.

CC to M/S.K.KANNAN Advocate on payment of necessary charges

CRL OP.7383/2020

Date :18/08/2020

MK:03/09/2020



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