

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.06.2020

Coram

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.4249 of 2020 in

Crl.O.P.No.7237 of 2020

(Crime No.137 of 2020)

Kannan

... Petitioner

Vs.

State Rep. By the Inspector of Police,
All Women Police Station,
Villivakkam, Chennai.

... Respondent

Prayer: This petition has been filed for extention interim bail granted by this court in Crl.O.P.No.7237 of 2020 on 17.04.2020.

For Petitioner: Mr.S.Senthilkumar

For Respondent: Mr.K.Prabakar,
Additional Public Prosecutor.

ORDER

(This case has been heard through video conference)

The petitioner who was granted interim bail by this court for eight weeks in Crl.O.P.No.7237 of 2020 on 17.04.2020, seeks extension of the bail.

2. The case of the prosecution is that the petitioner kidnapped the victim girl, aged 15 years and committed aggravated sexual assault on the victim girl.

3. The learned counsel for the petitioner submitted that the petitioner, who is aged 20 years has love affair with the victim and the love affair was opposed by the parents of the victim. He would further submit that the petitioner is a young boy and without understanding the consequences, elopped with the victim and after coming to know about the registration of the case, he surrendered before the respondent police.

4. The Additional Public Prosecutor would submit that the petitioner kidnapped the minor girl, aged 16 years and committed aggravated sexual assault on the girl and now, the victim has been secured. He would further submitt that originally the case was registered on the file of the Villivakkam Police station and

thereafter, it was transferred to the file of All Women Police Station , Ambattur in the very same crime number and now, the case is pending for investigation.

5. Considering the facts and circumstances of the case, the interim bail granted for a period of eight weeks granted by this court in Crl.O.P.No.7237 of 2020 on 17.04.2020 is made absolute, subject to the following conditions :-

[a] the petitioner shall furnish two sureties for a sum of Rs.10,000/- (Rupees ten thousand only), before the Special Judge of Special Court for Exclusive Trial of cases under POSCO Act, Chennai within a period of two weeks from the date of lifting of lock down and 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] the petitioner shall report before the Inspector, All Women Police Station, Ambattur on every Monday at 10.30 a.m., until further orders.

[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.

6. With the above directions, this criminal original petition is ordered.

-sd/-
25/06/2020

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

TRUE COPY

TO

1 THE SESSIONS JUDGE OF
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
AMBATTUR.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VILLIVAKKAM, CHENNAI.

C.C. to M/S. S.SENTHIL KUMAR Advocate on payment of necessary
charges

Order

in
CRL MP.4249/2020

in
CRL.OP.7237/2020

Date :25/06/2020

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