



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

Date : 10/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.465 of 2020

Alagesan

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Papanasam All Women Police Station,
Thanjavur District,
Crime No.08 of 2019

... Respondent/Complainant

For Petitioner : M/s.K.M.Karunakaran,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Bail Crime No.08 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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

2. The petitioner is arrayed as accused No.2. He was arrested and remanded to Judicial Custody on 15.12.2019 for the offences punishable under sections 366 of I.P.C. r/w. 5(1), 6 of POCSO Act 2012 r/w. Section 9 of Child Marriage Act 2006, in Crime No.8 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner is only the friend of the first accused and he is said to have facilitated the conduct of the marriage.

4. Taking note of the role played by the petitioner, I am inclined to enlarge the petitioner on bail 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, Special Court for Exclusive Trial Cases under POCSO Act, Thanjavur.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) 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].

sd/-
10/01/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

2 THE INSPECTOR OF POLICE
PAPANASAM ALL WOMEN POLICE STATION,
THANJAVUR DISTRICT, CRIME NO.08 OF 2019

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-747 dated 10/01/2020)

ORDER IN
CRL OP(MD) No.465 of 2020
Date :10/01/2020

pmu
ES/VR/SAR 4/10.01.2020/2P/6C