



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.438 of 2020

Arumugam

... Petitioner/Accused

Vs

State rep.by

The Inspector of Police,
Othakadai Police Station,
Madurai

(Crime No.562/2019).

... Respondent/Complainant

For Petitioner : M/s.V.Chandrapandi,
Advocate.

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

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

PRAYER :-

for Bail, Crime No.562 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 was arrested and remanded to Judicial Custody on 13.12.2019 for the offences punishable under sections 7 and 8 of POCSO Act, in Crime No.562 of 2019 on the file of the respondent police. He seeks bail.

3. On going through the First Information Report, it is seen that the petitioner had only misbehaved with the child and nothing more serious had happened.

4. The petitioner's counsel states that the petitioner would totally keep away from the victim and her family. If this undertaking is breached, this Court will not hesitate to cancel the bail now granted in favour of the petitioner.



5. Recording the said undertaking given by the petitioner's counsel, 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;

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(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, Mahalir Neethimandram, Madurai.

(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, MAHALIR NEETHIMANDRAM, MADURAI.

2 THE INSPECTOR OF POLICE, OTHAKADAI POLICE STATION, MADURAI

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.V.CHANDRAPANDI, Advocate (SR-644[I] dated 10/01/2020)

ORDER IN
CRL OP(MD) No.438 of 2020
Date :10/01/2020

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