



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

Date : 13/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.669 of 2020

Murugesh

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Nanguneri, Tirunelveli District.
Crime No.13 of 2019.

... Respondent/Complainant

For Petitioner : M/s.V.P.Rajan,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.13 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 in custody since 20.12.2019 for the offences punishable under sections 366(A), 376(2)(N) of IPC and Sections 3 and 4 of POCSO Act, in Crime No.13 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner is aged about 26 years. The victim is aged about 16 years.

4.On going through the FIR, it appears to be a case of consensual love affair.

5.The petitioner's counsel, on instructions, states that the petitioner would marry the victim after she attains majority, if she is willing to marry the petitioner.



6. Recording the said undertaking, 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 POCSO Act Cases, Tirunelveli.

(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/-
13/01/2020

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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 POCSO ACT CASES, TIRUNELVELI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NANGUNERI, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.P.RAJAN, Advocate (SR-863[I] dated 13/01/2020)
ORDER IN
CRL OP(MD) No.669 of 2020
Date :13/01/2020

rmi

<https://hsrvtce.sirg.gov.in/hsrvtce1.2020/2P/6C>