



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

Date : 10/02/2020

PRESENT

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

CRL OP(MD). No.1941 of 2020

Saravanan @ Saravanakumar

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.
Crime No.1 of 2020.

... Respondent/Complainant

For Petitioner : M/s.R.Udhayakumar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

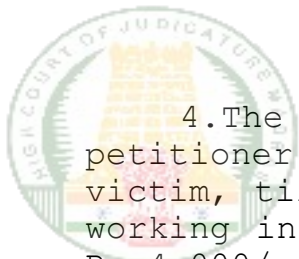
For Anticipatory Bail in Crime No.1 of 2020 on the file of the Respondent Police.

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 apprehending arrest at the hands of the respondent police for the offences punishable under sections 5(1), 5 (J)(ii) and 6 of POCSO Act, in Crime No.1 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The victim is on the verge of attaining majority. Her specific case is that she became pregnant on account of the acts committed by the petitioner herein. The petitioner strongly denies the said imputation. The victim is now six months pregnant. Whether the petitioner is the father of the child growing inside the womb of the victim will be known only after DNA test is performed. It will take time.



4.The petitioner's counsel, on instructions, states that the petitioner will remit a sum of Rs.2,000/- in the bank account of the victim, till the DNA results are made available. The petitioner is working in a very ordinary job and he appears to be getting hardly Rs.4,000/- in a month. That is why, the petitioner is not in a position to contribute more than Rs.2,000/-. Of-course, the payment to be made by the petitioner to the victim will be non refundable. Subject to the results of the DNA, the petitioner will have to pay a sum of Rs.2,000/- per month to the victim. The petitioner shall extend his fullest co-operation to the investigation also.

5. Subject to this condition, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court, Manamadurai, Sivagangai District, and on his executing 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-

10/02/2020

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

TO

- 1.THE JUDICIAL MAGISTRATE,MANAMADURAI, SIVAGANGAI DISTRICT.
- 2.THE CHIEF JUDICIAL MAGISTRATE,SIVAGANGAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, MANAMADURAI, SIVAGANGAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.UDHAYAKUMAR Advocate SR.No.2670

ORDER

IN

CRL OP(MD) No.1941 of 2020

Date :10/02/2020

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<https://hccs.csls.gov.in/hccs/2020/2P/6C>