



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.2408 of 2020

Saravanan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Jeeyapuram All Women Police Station,
Trichy District.
Crime No.04 of 2020

... 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 in Crime No.04 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 is in custody since 27.01.2020 for the offences under Sections 13, 14(1) and 15 of Protection of Children from Sexual Offences Act, 2012 r/w. Sections 67(A), 67(B) of Information Technology Act, 2000 in Crime No.4 of 2020 on the file of the respondent police. Hence, he seeks bail.

3. The prosecution case is that the petitioner has been in the habit of watching pornographic web sites having paedophile contents. The petitioner's counsel states that the petitioner must be considered more as user and that he had not taken any active part.



4. I am of the view that the continued incarceration of the petitioner is not going to serve any purpose. Hence, 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 II Additional and Sessions Court (FAC), Mahila Court, Trichy.

(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/-
12/02/2020

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

TO

1. THE II ADDITIONAL AND SESSIONS JUDGE, (FAC),
MAHILA COURT, TRICHY.
2. THE INSPECTOR OF POLICE,
JEEYAPURAM ALL WOMEN POLICE STATION,
TRICHY DISTRICT.
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.No.2906

ORDER
IN
CRL OP(MD) No.2408 of 2020
Date :12/02/2020