



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.2727 of 2020

Sundarapandi

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Pudukkottai,
Thoothukudi District.
(Crime No.18/2019)

... Respondent/Complainant

For Petitioner : M/s.S.Loganathan,
Advocate.

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

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

PRAYER :-

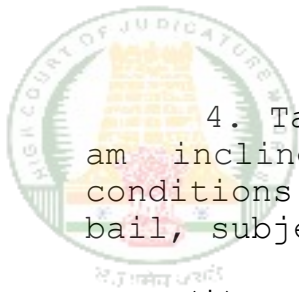
For Bail in Crime No. 18/2019 on the file of the Respondent Police.

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 under Section 9 of Prohibition of Child Marriage Act 2006 and under Section 366(A) of IPC and under Section 5(1)read with Section 6 of POCSO Act, 2012 in Crime No.18 of 2019 on the file of the respondent police. He seeks bail.

3. The petitioner is said to have married the victim, but the victim is 16 years old girl. The case was registered based on the statement of the Social Welfare Officer.



4. Taking note of the facts and circumstances of this case, 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 Special Court for Exclusive Trial of cases under POCSO Act, Thoothukudi.

(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/-
17/02/2020

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

TO

1. THE SPECIAL JUDGE FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, THOOTHUKUDI.

2. THE OFFICER INCHARGE, SUB JAIL,
PERURANI, THOOTHUKUDI.

3. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
PUDUKKOTTAI, THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.S.LOGANATHAN, Advocate (SR-3235[I] dated 17/02/2020)

ORDER
IN
CRL OP(MD) No.2727 of 2020
Date :17/02/2020

MS/PN/SAR-3/17.02.2020/2P.6C

<https://hcservices.ecourts.gov.in/hcservices/>