



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/02/2020

PRESENT

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

CRL OP(MD) . No.3130 of 2020

Ramar, ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Srivaikundam, Thoothukudi District.
(In Crime No.1/2020) ... Respondent/Complainant

For Petitioner : M/s.V.Malaiyendran,
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. 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 is in custody since 04.01.2020 for the offences under Section 5(i), 5(j)(ii), 6 of POCSO Act 2012 in Crime No.1 of 2020 on the file of the respondent police. He seeks bail.

3.The victim is now said to be in the seventh month of pregnancy. The petitioner states that he will pay a sum of Rs.3,000/-(Rupees Three thousand only) to the victim without prejudice to his defence in the criminal case.

4.I do not want to go into the merits of the allegations made against the petitioner. Even if the case gets closed, still the petitioner's liability to pay a sum of Rs.3,000/- per month to the victim will continue.



5.It is always open to the victim to ask for higher relief in appropriate proceedings before appropriate Court.

6.Recording the said undertaking given by the petitioner, 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/-
21/02/2020

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

TO

1. THE SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT, THOOTHUKUDI.
2. THE OFFICER INCHARGE,
DISTRICT JAIL, PERURANI, TUTICORIN.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-3753[I] dated 21/02/2020)

ORDER
IN
CRL OP(MD) No.3130 of 2020
Date :21/02/2020

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MS/VR/SAR-III (21.02.2020) 2P 6C