



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

Date : 28/02/2020

PRESENT

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

CRL OP(MD). No.3853 of 2020

A.Chinnamani

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Thalavaipuram Police Station,
Thalavaipuram,
Virudhunagar District.
Crime No.15/2020.

... Respondent/Complainant

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

For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

FOR BAIL IN CRIME NO.15/2020 ON THE FILE OF THE RESPONDENT POLICE.

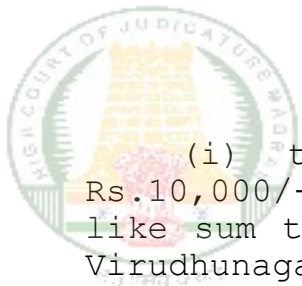
ORDER : The Court made the following order :-

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 22.01.2020 for the offences punishable under section Girl Missing @ 363 of IPC and Sections 5(1), 6 of POCSO Act, 2012 of I.P.C., in Crime No.15 of 2020 on the file of the respondent police. He seeks bail.

3. On going through the FIR, it appears that the victim had voluntarily eloped with the petitioner herein.

4. Taking note of these aspects, 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 Special Court (POCSO), Virudhunagar District at Srivilliputhur.

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(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/-
28/02/2020

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

TO

1.THE SPECIAL COURT(POCSO)
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2.THE INSPECTOR OF POLICE,
THALAVAIPURAM POLICE STATION,
THALAVAIPURAM,
VIRUDHUNAGAR DISTRICT.

3.THE OFFICER INCHARGE
DISTRICT PRISON, VIRUDHUNAGAR.

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

+1. CC to M/S.S.BALASUBRAMANIAN Advocate SR.No.4393

ORDER
IN
CRL OP(MD) No.3853 of 2020
Date :28/02/2020

TK/PN/SAR.2/28.02.2020/2P/6C