



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

Date : 09/03/2020

PRESENT

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

CRL OP(MD) . No.4253 of 2020

MANIKANDAN

... PETITIONER/PETITIONER/
ACCUSED NO.2

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT,
CRIME NO.1 OF 2020.

... RESPONDENT/ RESPONDENT

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 was arested on 06.01.2020 for the offences under Sections 5(i) read with 6 of POCSO Act, 2012, 323 and 506 (ii) I.P.C., in Crime No.1 of 2020 on the file of the respondent police. He seeks bail.

3. I went through the contents of the statement of the victim recorded under Section 164 of Cr.P.C. The primary allegations are directed only against the first accused.



4. I am therefore, 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 for Exclusive Trial of Cases under POCSO Act at 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/-
09/03/2020

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

TO

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

+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-4973[I] dated 09/03/2020)

ORDER
IN
CRL OP(MD) No.4253 of 2020
Date :09/03/2020

PNN
JM/VR/SAR 2/09.03.2020/2P/6C

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