



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

Date : 15/06/2020

PRESENT

WEB COPY

The Hon`ble Dr.Justice M.DHANDAPANI

CRL OP(MD). No.6133 of 2020

Ajith ... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Theni Police Station, Theni District.
Cr. No.182 of 2018..

... Respondent/Complainant

For Petitioner : M/s.J.Vishnu,
Advocate.

For Respondent :Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

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

PRAYER :-

To enlarge the petitioner on bail in connection with Cr.No. 182 of 2018 on the file of the respondent police and pass such other orders as this Honble Court.

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 arrayed as sole accused. He was arrested and remanded to Judicial Custody on 10.10.2019 for the offences punishable under sections 366 of I.P.C., and Section 6 of POCSO Act 2012 in Crime No.182 of 2018 on the file of the respondent police. He seeks bail.

3.The case of the prosecution is that the defacto complainant has given a complaint before the respondent police stating that he have two female children and on 08.03.2018, the defacto complainant wake up for go to rest room at about 02.00 a.m and at that time, his daughter is not available his house. Hence, a complaint has been lodged.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offences as alleged by the prosecution. He would further submit that the petitioner is in custody from 10.10.2019. Hence, the learned counsel praying for the relief of bail in favour of the petitioner. He further submits that the non-appearance of the

<https://hccservices.courts.gov.in/hccservices/> neither willful nor wanton and the petitioner



undertakes to appear before the trial Court on further hearings, without fail.

5. The learned Government Advocate (criminal side) appearing for the State, on instructions, would submit that in this case, investigation has already been completed and final report has also been filed, which was taken on file in S.C.NO.86 of 2019 on the file of the learned Mahila Court, Theni. He would further submit that earlier, the petitioner got bail, but he did not appear before the Court below, hence, Non-Bailable Warrant has been issued against the petitioner and he was arrested.

6. Considering the submissions made and also considering fact that the petitioner is in judicial custody from 10.10.2019, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his executing 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 Mahila Court, Theni and the petitioner shall appear before the trial Court on all hearing dates except when his appearance is dispensed with on merits pursuant to Section 317 Cr.P.C. petition moved on his behalf.

sd/-
15/06/2020

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

TO

- 1 THE JUDGE,
THE MAHILA COURT
THENI DISTRICT.
- 2 THE INSPECTOR OF POLICE
THENI POLICE STATION,
THENI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL,
THENI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6133 of 2020
Date :15/06/2020