



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2020

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PRESENT

The Hon`ble Mr.Justice RMT. TEEKAA RAMAN

CRL OP(MD) . No.6599 of 2020

Tamilselvan,

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Aranthangi All Women Police Station,
Pudukkottai District.
(Crime.No. 6 of 2020).

... Respondent/Complainant

For Petitioner : M/s T.Lenin Kumar,
Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

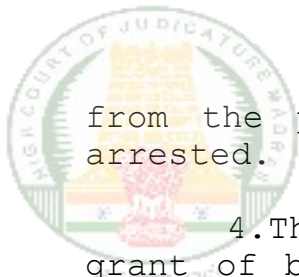
For Bail in Crime.No 6 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2.The petitioner is a sole accused. He was arrested and remanded to Judicial Custody on 13.06.2020 for the offences punishable under sections 14(1), 15 of POCSO Act and Section 67 of IT Act in Crime No.6 of 2020 on the file of the respondent police. He seeks bail.

3.The case of the prosecution is that on 27.05.2020 the respondent police received a complaint from the Deputy Commissioner of Police, Crime against women and children wing, Chennai, wherein it is alleged that some porn videos relating to women were shared



from the petitioner's mobile number. Hence, the petitioner was arrested.

4.The learned Additional Public Prosecutor would oppose the grant of bail to the petitioner. However, he would fairly submit that bail may be granted by imposing some stringent conditions.

5.Taking note of the facts and circumstances of this case, I am inclined to enlarge the petitioner on bail with certain conditions.

(a) 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Pudukkottai;

(b)The petitioner is directed to pay a sum of Rs.30,000/- (Rupees Thirty Thousand Only), by way of Demand Draft, in favour of 'The Dean, Government Hospital, Pudukkottai', on or before 07.07.2020, for the purpose of providing facilities to the Health workers, as non-refundable compensation, without prejudice his rights, since the Health workers put their lives at risk every day and play a critical role in preventing the spread of COVID-19 Pandemic;

(c)The sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(d)The petitioner shall report before the respondent Police daily at 10.00 a.m., until further orders, for interrogation;

(e)The petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)The petitioner shall not abscond either during investigation or trial;

(g)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]**; and;

(h)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/06/2020

/ TRUE COPY /

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



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE SESSIONS JUDGE,
MAHILA COURT, PUDUKKOTAI.
2. THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.
3. THE INSPECTOR OF POLICE,
ARANTHANGI ALL WOMEN POLICE STATION,
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE DEAN, GOVERNMENT HOSPITAL, PUDUKKOTTAI.

ORDER

IN

CRL OP(MD) No.6599 of 2020

Date :24/06/2020

GNS

AE/RSK/SAR-II (24.06.2020) 3P 6C