



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

Date : 03/09/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9277 of 2020

R.Renganathan

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Theni.
Crime No.7 of 2020

... Respondent/Complainant

For Petitioner : Mr.R.T.Arivu Kumar,
Advocate.

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

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

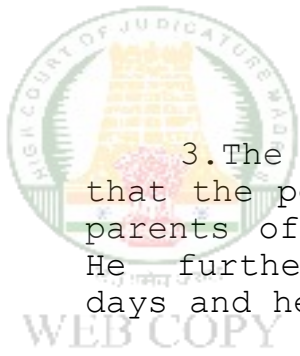
PRAYER :-

For Bail in Crime No. 7 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/sole accused herein was arrested and remanded to judicial custody on 11.07.2020 for the alleged offences under Section 6 of POCSO Act, 2012, in Crime No.7 of 2020 on the file of the respondent Police, seeks bail.

2.The victim girl is aged about 16 years. The case of the prosecution is that the petitioner was in love with the victim girl for the past two years and on a false promise of getting her married, he had sexual intercourse with the victim girl. Thereafter, the victim asked the petitioner to marry her, the same was refused by the petitioner and he is also taking steps to get engaged with another lady and criminally intimidated the victim girl. Due to which, she attempted to commit suicide. Based on the complaint given by the parents of the victim, the present case has been registered.



3.The learned counsel appearing for the petitioner submitted that the petitioner is ready to marry the victim girl, whereas, the parents of the victim girl had refused for the marriage proposal. He further submitted that the petitioner is in jail for nearly 53 days and hence, he may be granted bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner was in love with the victim girl and on a false promise, he had sexual intercourse with the victim girl and thereafter, he refused to marry her. Due to which, the victim girl attempted to commit suicide. He further submitted that the investigation is still pending.

5.On perusal of the records, it is seen that the the petitioner was in love with the victim girl and on false promise he had sexual intercourse with the victim girl and thereafter, he refused to marry her. Due to which, the victim girl attempted to commit suicide. It is stated that the investigation is almost over.

6.Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the Mahila Court, Theni.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police once in a week ie., on every Monday at 10.30 a.m until further orders.

iii)the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v)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].



vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
03/09/2020

/ TRUE COPY /

WEB 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 JUDGE, MAHILA COURT, THENI.

2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THENI.

3.THE SUPERINTENDENT,
CENTRAL JAIL, THENI DISTRICT.

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

+1 CC to M/s.R.T.ARIVU KUMAR, Advocate (SR-6238[I] dated 03/09/2020)

ORDER
IN
CRL OP(MD) No.9277 of 2020
Date :03/09/2020

VSG
TK/AKM/SAR.3/03.09.2020/3P/6C