



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

Date : 07/10/2020

PRESENT

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

CRL OP(MD). No.10639 of 2020

Pandi @ Bapoon Pandi

... Petitioner/Sole Accused

Vs

State through
The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Crime No.732 of 2019

... Respondent/Complainant

For Petitioner : Mr.P.Periyasamy, 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. 732/2019 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 12.12.2019 for the offences punishable under sections 3, 4 and 6 of Protection of Children from Sexual Offences Act, 2012 @ under Section 3(a) r/w 4 of Protection of Children from Sexual Offences Act, 2012 and Section 509 and 506(i) I.P.C., in Crime No.732 of 2019 on the file of the respondent police. He seeks bail.

3.When the petitioner filed a bail petition before this Court, the same was dismissed on the ground that the petitioner can apply for bail after the victim is examined. It is not in dispute that the victim girl has been examined.

4.The learned counsel for the petitioner gives a specific undertaking, on instructions, that the witnesses, who have already been examined will not be cross examined further. In other words,



there is no question to re-call of the witnesses earlier examined. The petitioner also gives an undertaking to keep away from the victim girl.

5. On considering the completion of investigation, examination of the victim girl and the long period of incarceration, I am inclined to grant bail to the petitioner.

6. 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 Sessions Judge (Fast Track Mahila Court), Dindigul.

(ii) the petitioner is directed to appear before the respondent police once in a week, i.e. every Monday at 06.00.pm.

(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/-
07/10/2020

/ TRUE COPY /

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

TO

1. THE SESSIONS JUDGE,
(FAST TRACK MAHILA COURT), DINDIGUL.
2. THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION, DINDIGUL DISTRICT.
3. THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.10639 of 2020
Date : 07/10/2020

DAS

<https://hccs.ecourts.gov.in/services> 10.2020/2P/5C