

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.6809 of 2021

Surat

... Petitioner

Vs.

The State Rep., by
The Inspector of Police,
Mathikonpalayam Police Station.
Crime No.54 of 2021.

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.54 of 2021 on the file of the respondent police.

For Petitioner : Mr.T.Elumalai

For Respondent : Ms.M.Prabhavathy
Additional Public Prosecutor

O R D E R

The petitioner who was arrested on 04.03.2021 for the offence under Sections 9(1), 10, 11(iv) and 12 of POCSO Act, 2012 in Cr.No.54 of 2021 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner tortured the victim girl and molested her while travelling in a bus.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution.

4. Heard the submissions made by the learned Additional Public Prosecutor.

5. Considering the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner.

6. 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 Fast Track Mahila Court, Dharmapuri and on further condition that:

(a) 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;

(b) the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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;

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

-sd/-

15/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE FAST TRACK MAHILA COURT,
DHARMAPURI.

2 THE OFFICER INCHARGE
DISTRICT JAIL, DHARMAPURI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

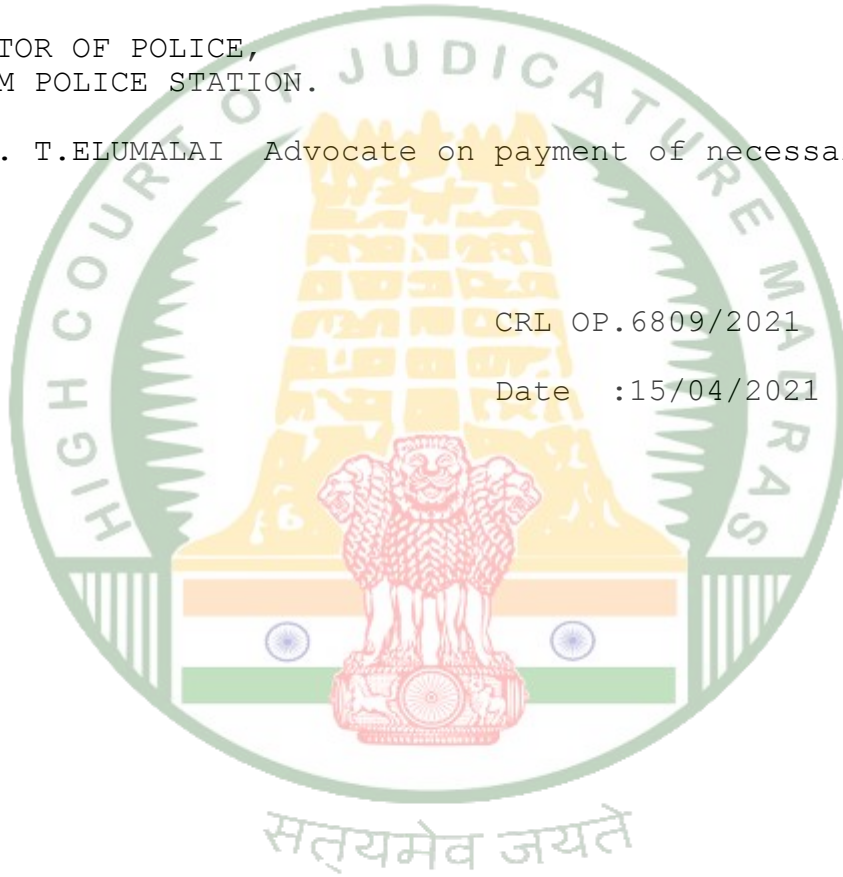
4 THE INSPECTOR OF POLICE,
MATHIKONPALAYAM POLICE STATION.

CC to M/S. T.ELUMALAI Advocate on payment of necessary charges

CRL OP.6809/2021

Date :15/04/2021

cs 16/04/2021



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