

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.05.2021

CORAM :

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.8656 of 2021

Vel @ Velmurugan
S/o.Govindaraj

.. Petitioner

Vs.

The State
Rep. by Inspector of Police
Karimangalam Police Station
Crime No.62 of 2021
Dharmapuri District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to grant bail to the petitioner on bail in connection with the case in Crime No.62 of 2021 pending investigation on the file of the respondent police station.

For Petitioner : Mr.R.Prabakar
For Respondent : Mr.Charles Premkumar
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

2. The petitioner was arrested and remanded to judicial custody on 18.02.2021 for the alleged offences under Sections 363, 366 of IPC, Section 6 r/w 5(1) of the POCSO Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006, in Crime No.62 of 2021. He seeks bail.

3. It appears that it is a case of love affair. It is also submitted that the final report has since been filed. This Court is of the view that the continued incarceration of the petitioner is not necessary. Hence, bail is granted to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on

bail on condition to 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 Fast Track Mahila Court, Dharmapuri, and on further conditions that:

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall not commit any offences of similar nature;

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

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

(f) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

4. With the above directions, this Criminal Original Petition is ordered.

-sd/-
06/05/2021

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.

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TO

1 THE JUDGE,
FAST TRACK MAHILA COURT, DHARMAPURI.

2 THE OFFICER INCHARGE
SUB JAIL, DHARMAPURI.

3 THE INSPECTOR OF POLICE,
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, CHENNAI.

+1 CC to M/S. R.PRABAKAR Advocate on payment of necessary
charges SR.No. 5917

CRL OP.8656/2021

Date :06/05/2021

rg.07.05.2021



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