



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.13119 of 2021

1.Dhayalan
2.Murugan

... Petitioners

Vs.

State by
Inspector of Police,
All Women Police Station,
Gummidipoondi,
Thiruvallur District.
(Crime No.6 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners on bail in Crime No.6 of 2021 on the file of Inspector of Police, All Women Police Station, Gummidipoondi, Thiruvallur District.

For Petitioners : Mr.S.Sasikumar

For Respondent : Mr.A.Gopinath
Government Advocate (Cr1. Side)

O R D E R

The petitioners who were arrested and remanded to judicial custody on 19.06.2021 for the offence under Sections 294(b), 506 (II) of IPC and Section 11(1) and 12 of POCSO Act, 2012 in Crime No.6 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that A1 in the case is alleged to have sent obscene messages to the defacto complainant's minor daughter and also threatened her to love him. The petitioners are friends of A1.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution.

4.Heard the submissions made by the learned Government Advocate (Criminal Side).



5.This Court perused the statement of the victim recorded under Section 164 of Cr.P.C. and it reveals that there is no serious allegation as against the petitioners. Hence, considering the period of incarceration undergone by the petitioners, I am inclined to grant bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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, Magalir Neethimandram (Fast Track Mahila Court), Thiruvallur 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 petitioners shall report before the respondent police, daily at 10.30 a.m. until further orders;

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

(d)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
28/07/2021

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 SESSIONS JUDGE,
MAGALIR NEETHIMANDRAM
(FAST TRACK MAHILA COURT),
THIRUVALLUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GUMMIDIPOONDI,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.13119/2021

Date :28/07/2021

MK:29/07/2021