



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.14916 of 2021

Manikandan

... Petitioner

Vs.

The State of Tamil Nadu,
Rep.by the Inspector of Police,
Walaja Police Station,
Ranipet District.
(Crime No.363 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C prayed to release the petitionerA1 on bail in the above case in Crime No.363 of 2021 on the file of the respondent.

For Petitioner : Mr.S.Arun Kumar

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 21.06.2021 for the offences under Sections 174 (3) of Cr.P.C r/w 109, 306 of I.P.C and Section 4 of POCSO Act, 9,10,11 of Children Act, in Crime No.363 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner's family and the deceased family are relatives and they have compelled the deceased to marry the first petitioner. After the marriage, there was some misunderstanding between them, due to which the deceased consumed poison and died. Hence the law enforcing agency registered a case against the petitioners.

3. The learned counsel for the petitioner submits that in an earlier occasion, this court vide order dated 04.08.2021 in Crl.OP.No.13510 of 2021, dismissed with regard to the first petitioner/petitioner herein. Hence, the present bail application has been filed by the petitioner.

4. The learned Government Advocate (Crl.Side) submits that investigation is completed and charge sheet has also been filed.



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5. Considering the facts and circumstances of the case and also the fact that the investigation has been completed and the charge sheet has also been filed and considering the period of incarceration suffered by the petitioner, this court is 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, each for a like sum to the satisfaction of the learned Special Courts for Exclusive Trial of Cases under POCSO Act, Vellore 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/-
31/08/2021

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 SPECIAL COURTS
FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
VELLORE.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
WALAJA POLICE STATION,
RENIPET DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON FOR MEN, VELLORE.

+1 CC to M/S.S.ARUNKUMAR Advocate on payment of necessary
charges SR.NO.9329

CRL OP.14916/2021

Date :31/08/2021

TA-01/09/2021