



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.23183 of 2021

V.Karthi

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.
Now confined at District Prison, Nagapattinam.
(Crime No.1530 of 2021)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.1530 of 2021 pending on the file of the respondent.

For Petitioner : Mr.P.Muthamizhselvakumar

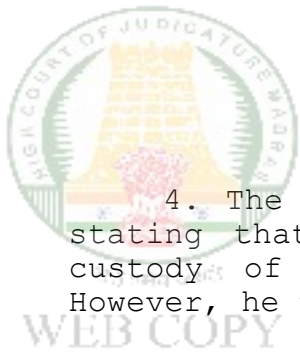
For Respondent : Mr.N.S.Suganthan
Government Advocate

O R D E R

The petitioner who were arrested and remanded to judicial custody on 10.11.2021 for the offences under Sections 366 A of IPC, 1860 and Sections 3(a), 4 of Protection of Children from Sexual Harassment Act, 2012 in Crime No.1530 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant had lodged a written complaint before the respondent stating that his minor daughter was found missing and he searched every where it could able to traced out, based on the complaint the respondent police register in the case in under women missing and thereafter it was alter to the Section 366 A of IPC. Hence the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) raised objection stating that the 164 statement was recorded, victim is under the custody of her parents and investigation is almost completed. However, he vehemently opposed to grant bail to the petitioner.

5. Considering all these facts, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on their executing separate bonds 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 Session Judge, Fast Track Mahila Court, Thiruvavur, and on further conditions 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 on every Tuesday and Sunday at 10.30 a.m. until further orders and the petitioner shall not have any communication with the victim girl and co-operate for trial;

(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/-

10/12/2021

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 SESSION JUDGE,
FAST TRACK MAHILA COURT,
THIRUVARUR.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
THIRUVARUR DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT-PRISON, THIRUVARUR.

5 THE OFFICER INCHARGE,
DISTRICT PRISON, NAGAPATTINAM.

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

CRL OP.23183/2021

Date :10/12/2021

RW 10/12/2021