



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/09/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.14708 of 2021

Manojkumar

... Petitioner/ Sole Accused

Vs

The State rep.by
The Inspector of Police
Mandaiyur Police Station
Mandaiyur, Pudukkottai District
Crime No.66 of 2021

... Respondent/Complainant

For Petitioner : Mr.K.ARUNRAJ
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR
Additional Public Prosecutor(crl.side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C

PRAYER :-

For Bail in Crime No.66 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

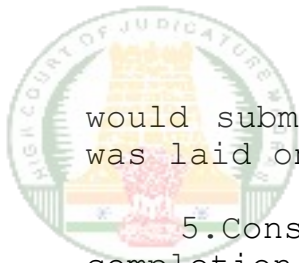
The petitioner/sole accused, who was arrested on 11.07.2021 for the offence under Sections 363 IPC and 5(1) r/w 6(1), 5(i) r/w 6(1) of POCSO (Amendment) Act, 2019 in Cr.No.66 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner abducted the minor victim girl and had physical relationship with her. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner never committed any offence as alleged by the prosecution. He is in no way connected with the alleged occurrence. He would further submit that the petitioner and victim girl loved each other. After completing the investigation, final report has been filed and the same was taken on file in Spl.S.C.No.22 of 2021 by the Mahila Court, Pudukkottai. The petitioner is in judicial custody from 11.07.2021 and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor has produced the statement recorded from the victim under Section 164 Cr.P.C. He

<https://hcservices.ecourts.gov.in/hcservices/>



would submit that the investigation was completed and charge sheet was laid on 30.08.2021.

5.Considering the facts and circumstances of the case, completion of the investigation and also the period of incarceration, this Court is inclined to grant bail to the petitioner, however, with stringent condition.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Keeranur, 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily twice ie. at 10.30 a.m and 05.30 p.m until further orders.

[c] the petitioner shall not tamper with the 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

30/09/2021

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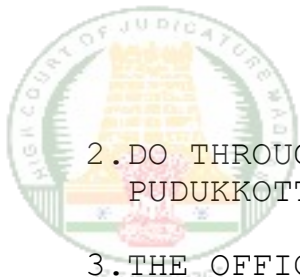
/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

TO

1.THE JUDICIAL MAGISTRATE
KEERANUR.



2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3.THE OFFICER INCHARGE
SUB JAIL, PUDUKKOTTAI.

4.THE INSPECTOR OF POLICE
MANDAIYUR POLICE STATION
MANDAIYUR, PUDUKKOTTAI DISTRICT

5.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.14708 of 2021
Date :30/09/2021

SA/PN/SAR.2/30.09.2021/3P/6C