



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Fourteenth day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) No.19761 of 2021

PLANISAMY @ PALANISAMY @ KARUPPANAN ... PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PATTIVEERANPATTI POLICE STATION,
DINDIGUL DISTRICT.
(FIR IN CRIME NO.320/2021)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. VISHNUVARTHANAN.P.M Advocate
For Respondent : MR.R.MEENAKSHI SUNDARAM,
ADDITIONAL PUBLIC PROSECUTOR

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

PRAYER :

FOR BAIL IN CRIME NO.320 OF 2021 ON THE FILE OF THE RESPONDENT
POLICE.

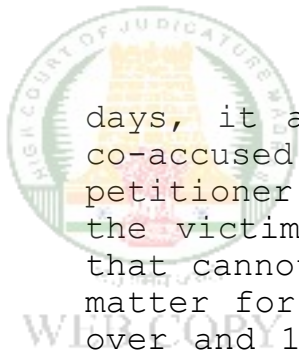
ORDER : The Court Made the following order :-

The petitioner, who is A2 was arrested and remanded to judicial custody on 16/11/2021 for the alleged offences punishable under Sections 354, 323 and 506(i) IPC and Section 4 of TNPHW Act and Section 11(i) r/w 12 of POCSO Act, in Crime No.320 of 2021 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that A1, who is the son of this petitioner/A2 attempted to take away the daughter of the de-facto complainant and tried to tie Thali.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.

4.Perusal of the CD file shows that during the course of investigation, the age of victim girl has been verified by recovering the birth certificate, which shows that she was born on 21st April 2003. The date of the alleged occurrence is 15.04.2021. So on the date of the occurrence, it appears that the victim was since out of 10 days for attaining majority. Even without waiting for 6



days, it appears that the present occurrence has taken place. The co-accused has been released on bail by this court and the petitioner is the father of the A1. Even though, it is stated that the victim girl and A1 were in love and she was closely related, that cannot be a matter for consideration in this petition. It is a matter for investigation and trial. Now the investigation is almost over and 164 statement of the victim has also been recorded by the Investigating Officer.

5.Considering the limited role that has been played by this petitioner and also considering the fact that A3 and A4 were granted anticipatory bail by this court in Crl.OP(MD)No.17332 of 2021, dated 30/11/2021 and A1 has been surrendered, based upon the undertaking given by this petitioner, at the time of moving this petition and in the facts and circumstances of this case, the custodial interrogation of this petitioner may not be required, 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 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 Judicial Magistrate, Nilakottai and on further condition that the petitioner shall report before the respondent police daily at 10.00 am until further orders.

sd/-
14/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,
NILAKOTTAI.
- 2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
PATTIVEERANPATTI POLICE STATION,
DINDIGUL DISTRICT.



4 THE OFFICER INCHARGE
DISTRICT JAIL, DINDIGUL.

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

+1 CC to Mr.P.M.VISHNUVARTHANAN, Advocate SR.No.9273

ORDER
IN
CRL OP (MD) No.19761 of 2021
Date :14/12/2021

RS/PN/SAR3(14.12.2021) 3P-7C