



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/12/2021
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.19847 of 2021

Muthuraj

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Paramakudi,
Madurai District.
Crime No.25 of 2021.

... Respondent/Complainant

For Petitioner : Mr.V.Selvakumar,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.25 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 02.11.2021 for the alleged offence under Sections 366 of IPC, 5(1) and 6 of Protection of child from sexual offences Act, 2012, in Crime No.25 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner had kidnapped his minor daughter and committed penetrative sexual assault on her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 02.11.2021.

4.This Court had directed the learned Additional Public Prosecutor to verify the date of birth of the petitioner, for which, the learned Additional Public Prosecutor has produced the Aadhar Card wherein mentioned that the date of birth of this petitioner is 24.02.2003 in the Birth Certificate and in the State Board of School Certificate, Tirunelveli, it is mentioned as 24.03.2004



5. Considering the facts and the circumstance of this case and without going to the other aspects and merits of the case and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 Fast Track Mahila Court, Ramanathapuram, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders. The Court shall first conduct enquiry as to the date of birth of the petitioner and further proceedings shall be undertaken on that basis.

sd/-

21/12/2021

/ TRUE COPY /

/ /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 JUDGE, FAST TRACK MAHILA COURT,
RAMANATHAPURAM.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PARAMAKUDI,
MADURAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANADHAPURAM.

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

+1. CC to MR.V.SELVAKUMAR, Advocate SR.No.9548.

ORDER IN

CRL OP(MD) No.19847 of 2021

Date :21/12/2021

TTA

MK/VR/SAR.III/22.12.2021/2P/6C

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