



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/12/2021

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.21056 of 2021

Balakumar,

... Petitioner/Sole Accused

Vs

State Rep by,
The Inspector of Police,
Mandaiyur Police Station,
Pudukottai District.
(Crime No. 97 of 2021).

... Respondent/Complainant

For Petitioner : MR.K.M.Karunakaran, Advocate.

For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl.Side)

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

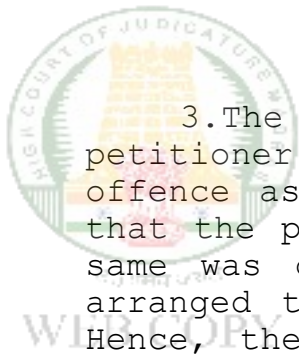
PRAYER :-

For Bail in Crime No. 97 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 05.12.2021 for the alleged offence under Section 363 of IPC r/w 5(L), 6(1) of POCSO Act, in Crime No.97 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl is aged about 17 years and the petitioner is aged about 23 years. The father of the victim girl, who is the defacto complainant, gave a complaint against the petitioner. Admittedly, his daughter and the petitioner herein fall in love with each other. The defacto complainant's daughter went along with the petitioner. Immediately, after registration of F.I.R., the victim girl was secured and sent to a home as she is a minor girl.



3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submitted that the petitioner and the victim girl loved each other. When the same was coming to the knowledge of the defacto complainant, he arranged the marriage to the victim girl with some other person. Hence, the victim girl voluntarily left from her home. Hence, he seeks bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the there is no previous case against the petitioner. The investigation has been completed.

5.Considering the period of incarceration and also considering the fact that since the victim girl and the petitioner loved each, she left from her home voluntarily, that no previous case is pending against the petitioner and that the investigation is completed, this Court is inclined to grant bail to the petitioner with stringent 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 Sessions Judge (Mahila Court), Pudukottai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 30 days.

sd/-

29/12/2021

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/ /2021

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

TO

1 THE SESSIONS JUDGE,
(MAHILA COURT) PUDUKOTTAI.

2 THE INSPECTOR OF POLICE
MANDAIYUR POLICE STATION, PUDUKOTTAI DISTRICT.

3 THE SUPERINTEDENT,
CENTRAL PRISON, TRICHY.

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

ORDER

IN

CRL OP(MD) No.21056 of 2021

Date :29/12/2021