



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM:

THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

CrI.O.P.No.2391 of 2022

P.Panneerselvam

.. Petitioner

Vs.

State rep. by its
The Inspector of Police,
AWPS, Panruti,
Cuddalore District.
(Crime No.10 of 2017)

.. 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. 10/ 2017 on the file of the Inspector of Police, All Women Police Station, Panruti, Cuddalore District.

For Petitioner : Mr.J.Rajmohan

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested on 13.01.2022 for the offences punishable under Sections 3, 4 r/w 16, 17 of POCSO Act 2012 and sec. 9 & 10 of Prohibition of Child Marriage Act 2006, in Crime No.10 of 2017, on the file of the respondent police, seeks bail.

2.For the alleged offence took place in the year 2017, this petitioner has been arrested on 13.01.2022 for the offence under Section 3, 4, 16 & 17 of POCSO Act 2012 and sec. 9 & 10 of Prohibition of Child Marriage Act 2006. The 164 statement of the victim girl has been recorded twice. On the comparison of those two 164 statements, this Court finds some material contradictions between the present 164 statement and the already recorded 164 statement.

3. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

4. In view of the above fact, bail is granted to the petitioner and he is ordered to be released on bail subject to the following conditions.



(a) the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Special Court (POCSO ACT CASE), Cuddalore.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to report before the Cuddalore Town Police Station daily until further orders.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Judicial 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 229A IPC.

-sd/-

04/03/2022

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 SPECIALCOURT(POCSO ACT
CASES), DUDDALORE

2 THE OFFICER INCHARGE,
SUB JAIL, PANRUTI

3 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PANRUTI, CUDDALORE DISTRICT



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
CUDDALORE TOWN POLICE STATION,
CUDDALORE.

CC to M/S J.RAJMOHAN Advocate on payment of necessary charges
SR.NO.3387

CRL OP.2391/2022

Date :04/03/2022

RVR 07/03/2022