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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM:

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

CrI.O.P.No.4060 of 2022

Seenivasagam

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
All Women Police Station,
Tiruppur South, Tiruppur City.
(Crime No.15 of 2021)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Spl.SC.No.74 of 2021 on the file of the Fast Track Mahila Court, Tiruppur in Crime No.15 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

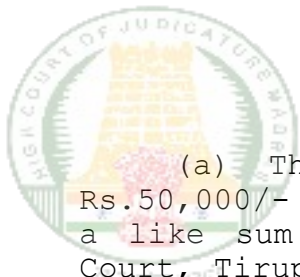
For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner herein was arrested on 02.09.2021 on the complaint given by one Kandhammal, who is the grandmother of the victim child for the alleged offences punishable under Sections 9(m), 9(n) read with 10 of POCSO Act 2012 in Crime No.15 of 2021. He filed this petition seeking bail.

2.Learned Additional Public Prosecutor appearing for the respondent submitted that the trial has commenced and the defacto complainant and the victim child has already been examined.

3.In the light of the above fact, this Court finds that there is no impediment to release the petitioner herein. Hence, the petitioner 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 Fast Track Mahila Court, Tiruppur.

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(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 appear before the concerned court daily at 10.30 a.m. and cooperate with the completion of trial without any delay. It is also made clear that the petitioner if found tampering the witness or interfering in the course of trial, the bail granted will be cancelled.

(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/-

03/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

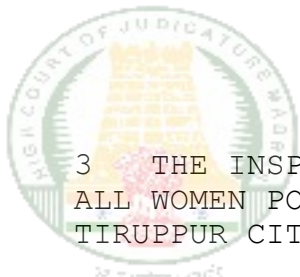
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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE FAST TRACK MAHILA COURT,
TIRUPPUR

2 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE



3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION TIRUPPUR SOUTH,
TIRUPPUR CITY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S C.S.SARAVANAN Advocate on payment of necessary
charges

CRL OP.4060/2022

Date :03/03/2022

RVR 04/03/2022