



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

WEB COPY

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.4478 of 2022

V.Raju @ Rajan

.. Petitioner

Vs.

The Inspector of Police,
Chettipalayam Police Station,
Coimbatore District.
(Crime No.18 of 2022)

.. 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.18 of 2022 pending investigation on the file of respondent police.

For Petitioner : Mr.K.Vasanthanayagan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.01.2022 for the offences punishable **under Section 11(3) read with 12 of POSCO Act**, in Crime No.18 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have shown a porn video to the victim girl from his cell phone. Thereafter, the victim girl told her mother about the said act of the petitioner and hence the present case has been registered by the respondent police.

3. The learned Counsel for the petitioner submits that the petitioner is falsely implicated in this case and he is ready to abide any condition as imposed by this Court. Hence, he seeks for grant of bail to the petitioner.

4. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner subject to the following conditions.



(a) the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the **learned Special Court for Exclusive Trial of Cases under the POCSO Act, Coimbatore.**

(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 Investigating Officer as and when required.**

(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 Magistrate 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/-
14/03/2022

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 SPECIAL COURT FOR EXCLUSIVE TRIAL OF
CASES UNDER THE POCSO ACT, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE INSPECTOR OF POLICE,
CHETTIPALAYAM POLICE STATION,
COIMBATORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

+1 CC to M/S. K.VASANTHANAYAGAN Advocate on payment of
necessary charges SR.NO.3832

CRL OP.4478/2022

Date :14/03/2022

TA-15/03/2022