



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

CORAM:

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.4795 of 2022

Kalaiyarasan

... Petitioner

Vs.

The Inspector of Police,
All Women Police Station,
Tiruvannamalai District.
(Crime No.04 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 pending Crime No.04 of 2022 on the file of All Women Police Station, Tiruvannamalai District.

For Petitioner : Mr.R.C.Paul Kanagaraj
for Mr.P.Krishnamurthi

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

ORDER

The petitioner, who was arrested for the offences punishable under Sections 11(iv) r/w. Section 12 of POSCO Act and Sections 354 (d), 506(i) of Indian Penal Code, in Crime No.04 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner proposed his love toward the victim girl and also threatened the victim girl and her family with dire consequences. Hence, the complaint.

3. The learned Additional Public Prosecutor appearing for the respondent submits that substantial portion of the investigation and recording of the 164 statement of the victim minor girl were completed. A copy of the statement is also produced before this Court for its perusal.



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/- each (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 POCSO Act at Thiruvannamalai.

(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 Judicial 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 FOR EXCLUSIVE
TRIAL OF CASES UNDER POSCO ACT,
THIRUVANNAMALAI.



2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVANNAMALAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.KRISHNAMURTHI Advocate on payment of necessary
charges SR.NO.3851

CRL OP.4795/2022

Date :14/03/2022

JPA 15/03/2022