



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2022

CORAM:

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

Cr1.O.P.No.4994 of 2022

Sanjay @ Sanjay Samuel

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
S-6, Sankar Nagar Police Station,
Chennai- 600 075.
(Crime No.10 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 respect of Crime No.10 of 2022 on the file of the S6 Sankar Nagar Police Station, Chennai.

For Petitioner : Mr.B.Kumarasamy

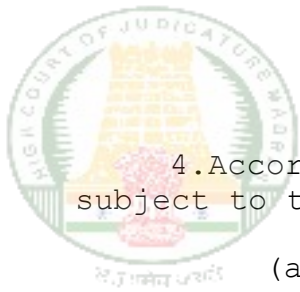
For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner seeks bail for the alleged offences under sections 366 IPC read with Section 8 of POCSO Act @ 366 of IPC and 9 (g) read with 10 of POSCO Act. The petitioner was arrested on 07.01.2022. Based on the complaint dated 05.01.2022, initially registered for girl missing later altered to Section 366 read with Section 8 of POSCO Act.

2.Learned Additional Public Prosecutor appearing for the respondent submitted that 164 statement of the victim girl has been recorded and produced the copy of the statement recorded.

3.In the light of the progress in the investigation and the victim statement already recorded by the learned Magistrate, the possibility of tampering the witness removed, this Court is of the view that the petitioner may be granted bail.



4. Accordingly, 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 Sessions Judge, Sepcial Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu.

(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 Investigation 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/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

TRUE COPY

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

TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, CHENGALPATTU.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE INSPECTOR OF POLICE,
S-6, SANKAR NAGAR POLICE STATION,
CHENNAI-600 075.

4 THE SUPERINTENDENT,
CENTRAL PRISON-II, PUZHAL, CHENNAI.

+1 CC to M/S.B.KUMARASAMY Advocate on payment of necessary
charges SR.NO.3238

CRL OP.4994/2022

Date :03/03/2022

TA-03/03/2022.