



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5277 of 2022

SATHISH

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
AWPS POLICE STATION, PULIYANTHOPE,
CHENNAI DISTRICT.
(CRIME NO.3 OF 2022)

For Petitioner : M/S.SYED NIZAMUDDIN AHMED HUSSAINI Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences punishable **under Sections 366 of IPC and Sections 5(j)(II) & 6 Protection of Child from Sexual Offences Act, 2012** in Crime No.3 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The First Information Report has been registered against this petitioner on 24.02.2022 and the 164 statement of the victim was also recorded. From the statement, it appears that at the time of delivery, the victim girl was found to be minor and therefore, the First Information Report was registered on the information received by the Police from the hospital authorities.

3. Since the 164 Cr.P.C. statement of the victim has already been recorded, there is no possibility of any tampering the evidence. Therefore, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



4. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned **POCSO Court, Chennai** on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(d) **the petitioner shall report before the Investigating Officer daily at 10.30 am, until further orders;**

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions has 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]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A 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 POCSO COURT,
CHENNAI.

WEB COPY

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
AWPS POLICE STATION, PULIYANTHOPE,
CHENNAI DISTRICT.

+1 CC to M/S.SYED NIZAMUDDIN AHMED HUSSAINI Advocate on payment
of necessary charges SR.NO.3882

CRL OP.5277/2022

Date :14/03/2022

TA-21/03/2022