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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.6661 of 2022

Navaneetham @ Nithyanantham

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
W-8, All Women Police Station
Thirumangalam,
Chennai.
(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 pending investigation in Crime No.04 of 2022, on the file of the respondent Police.

For Petitioner : Mr.S.Senthilvel

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested on 29.01.2022 for the offences punishable under Section 10 of POCSO Act 2012 in Crime No.04 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein who is 52 years old is alleged to have sexually harassed two children aged 7 and 6 years old. Section 164 Cr.P.C. statement of the victims were recorded and the final report filed.

3. Considering the contents of the Section 164 Cr.P.C statement of the victim minor girls, this court is of the view that the petitioner may be granted bail and accordingly, he 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 POCSO Court, Chennai.

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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 report before the concerned Special Court on the first working day of every month until further orders.

(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/-

24/03/2022

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 POCSO COURT,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI-II,
CHENNAI.

3 THE INSPECTOR OF POLICE
W-8, ALL WOMEN POLICE STATION,
THIRUMANGALAM, CHENNAI.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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+1 CC to M/S.S.SENTHILVEL
charges SR.NO. 4465

Advocate on payment of necessary

CRL OP.6661/2022

Date :24/03/2022

RW 24/03/2022