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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.6863 of 2022

Murugesan

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Tiruvannamalai East Police Station,
Tiruvannamalai District.
(Crime No.27 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner/ Accused on bail in respect of the Crime No.27 of 2022 on the file of the respondent police.

For Petitioner : Mr.K.Mahendran

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

O R D E R

The petitioner, who was arrested for the offences punishable under Sections 374 of IPC and Sections 16 and 17 of Bonded Labour System Abolition Act, 1976 and Section 79 of Juvenile Justice (Care and Protection of Children) Act in Crime No.27 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner was arrested on 21.01.2022 for the alleged offences of engaging 17 years old and 10 years old child victims in duck grazing and holding them as bonded labourers.

3.Learned counsel for the petitioner states that they were not bonded labourers. These children are all the relatives of the petitioner and the duck grazing is their family profession.

4. Considering the facts of the case, this Court is inclined to grant bail to the petitioner subject to certain conditions. 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvannamalai.

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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 appear before the Investigating Officer daily at 10.30 a.m. 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/-

25/03/2022

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 POCSO ACT,
TIRUVANNAMALAI

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

3 THE INSPECTOR OF POLICE,
TIRUVANNAMALAI EAST POLICE STATION,
TIRUVANNAMALAI DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.K.MAHENDRAN
charges Sr.4506

Advocate on payment of necessary

CRL OP.6863/2022

Date :25/03/2022

RVR 25/03/2022