



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7109 of 2022

Veera bharathi @ Veera Bharathi Devi

... Petitioner

Vs.

The State rep. by
The Inspector of Police,
(All Women Police Station),
Madipakkam,
Chennai-600 091
(Crime No.4 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.4 of 2021 pending investigation on the file of the respondent police.

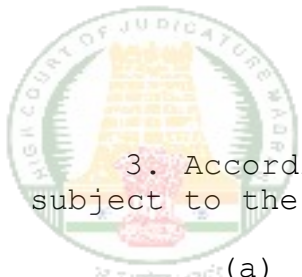
For Petitioner : M/s.R.Ganesh Kumar

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

ORDER

The petitioner/A2, who was arrested for the offences punishable under Sections 11(3) read with 12 of POCSO Act and under Section 294(b), 506(i) of IPC in Crime No.4 of 2021, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 02.03.2022 after the Investigating Officer has altered the sections of crime under investigation based on the complaint given by the mother of a minor girl. The 164 Cr.P.C. Statement of the minor girl has been recorded wherein this Court finds that except introducing the prime accused who are brother and friend of her brother, there is no serious overtact against this petitioner. Hence, this court is of the view that the petitioner may be granted bail subject to certain conditions.



3. 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 learned Sessions Judge, Special 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 report 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/-
29/03/2022

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, CHENGALPET



2 THE INSPECTOR OF POLICE,
(ALL WOMEN POLICE STATION)
MADIPAKKAM, CHENNAI 600091.

3 THE SUPERINTENDENT,
CENTRAL PRISON FOR WOMEN,
PUZHAL, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.GANESH KUMAR Advocate on payment of necessary
charges SR.NO.4664

CRL OP.7109/2022

Date :29/03/2022

JPA 29/03/2022