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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7193 of 2022

Parasuraman

.. Petitioner

Vs.

The State of Tamil Nadu
Through the Station Housing Officer,
All Women Police Station,
Ulundurpet, Kallakuruchi District.
(Crime No.2 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 in Crime No.2 of 2022 on the file of All Woman Police Station, Ulundurpet.

For Petitioner : Mr.M.Devaraj

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

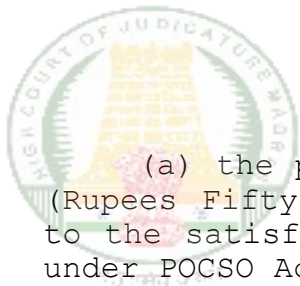
ORDER

The petitioner, who was arrested on 19.01.2022 for the alleged offence under Sections 323, 506(ii) of IPC and Sections 9(m), 10 of POCSO Act in Crime No.2 of 2022, on the file of the respondent police, seeks bail.

2.Heard the learned counsel for the petitioner.

3.The petitioner was arrested on 19.01.2022 on the allegation that he has sexually harrassed the seven years old minor girl travelling in a bus. Section 164 of Cr.P.C. statement of the victim minor girl was recorded. The investigation is completed and the final report is also filed.

4.Considering the said fact and taking note of the reverse burden on the petitioner, this Court is inclined to grant bail to this petitioner. 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 Special Court for exclusive Trial under POCSO Act at Villupuram;

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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 Special Court on every Monday at 10.30 a.m. till the completion of the trial;

(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/-

04/04/2022

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 SPECIAL COURT FOR EXCLUSIVE
TRIAL UNDER POCSO ACT, VILLUPURAM.

2 THE STATION HOUSING OFFICER,
ALL WOMEN POLICE STATION,
ULUNDURPET, KALLAKURUCHI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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+1CC to M/S. M.DEVARAJ Advocate on payment of necessary charges
SR.No.5045

CRL OP.7193/2022

Date :04/04/2022

CSK 05/04/2022