



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8058 of 2022

S.Arputharaj

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
W-18, All Women Police Station,
M.K.B.Nagar,
Chennai
(Crime No.975 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.975 of 2021 on the file of the Inspector of Police, W-18, All Women Police Station, MKB Nagar, Chennai District.

For Petitioner : Mr.J.Antony Jesuraja

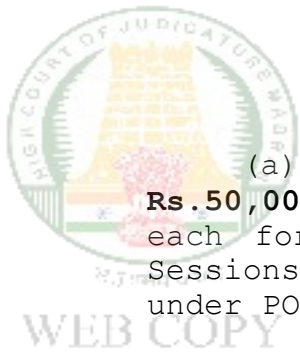
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested in Crime No.975 of 2021, on the file of the respondent police, seeks bail.

2. Learned Additional Public Prosecutor for the respondent states that the petitioner was arrested on 15.02.2022 for the alleged offences under sections 366A, 343 IPC, Section 5(1) read with Section 6 of POCSO Act. The prosecution has completed the investigation and filed the final report. The Section 164 of Cr.P.C. Statement of the victim girl was also recorded and the same forms part of the document relied by the prosecution.

3. In the said circumstances, since the investigation is completed and the possibility of tampering the evidence is not pleaded, this court is inclined to grant bail to the 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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai.

(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/-
07/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

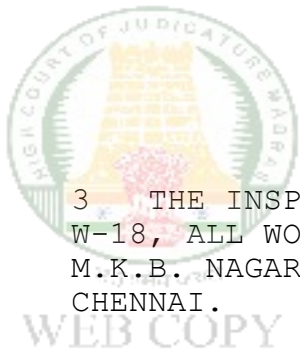
TRUE COPY

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, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



3 THE INSPECTOR OF POLICE,
W-18, ALL WOMEN POLICE STATION,
M.K.B. NAGAR,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S.J.ANTONY JESURAJA Advocate on payment of necessary
charges SR.NO.5313

CRL OP.8058/2022

Date :07/04/2022

TA-08/04/2022