



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7269 of 2022

Dhamotharan

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Vennandhur Police Station,
Namakkal District.
(Crime No.26 of 2022)

.. 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.26 of 2022 on the file of the respondent police.

For Petitioner : Mr.J.Jayan

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

O R D E R

The petitioner, who was arrested on 10.02.2022 for the alleged offence of Girl Missing @ 366 of IPC Section 8 r/w. 7 of POCSO Act 2012. in Crime No.26 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 10.02.2022, on a complaint given on 07.02.2022 regarding girl missing, the victim girl was rescued and the petitioner was arrested for the alleged offence under Section 366 of IPC and Section 8 r/w. 7 of POCSO Act.

3. The learned Additional Public Prosecutor submits that, investigation was completed and final report has been filed and the statement under Section 164 Cr.P.C of the victim girl was recorded and the same is perused by this Court.



4. Considering the fact that the investigation has completed and final report is also filed, this court is of the view that the petitioner may be granted bail subject to certain conditions.

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5. 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 (Fast Track Mahila), Namakkal;

(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 attend the Trial proceedings without any absence;

(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/-

30/03/2022

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.



1 THE SESSIONS JUDGE
(FAST TRACK MAHILA), NAMAKKAL.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE INSPECTOR OF POLICE,
VENNANDHUR POLICE STATION,
NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.NO. 4775

CRL OP.7269/2022

Date :30/03/2022

RW 31/03/2022