



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.7895 of 2022

P.Santhosh Kumar

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Cheyyar All Women Police Station,
Cheyyar District.
(Crime No.02 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 investigation of the case in Crime No.02 of 2022, on the file of the respondent police.

For Petitioner : Mr.V.Devendhiran

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

ORDER

The petitioner, who was arrested for the alleged offences under Sections 328, 366, 376(1), 312, 318, 506(1) of IPC read with 5(1), 5(j)(ii) and 6 of POCSO Act in Crime No.02 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner was remanded to the judicial custody for the alleged offences under 328, 366, 376(1), 312, 318, 506(1) of IPC read with 5(1), 5(j)(ii) and 6 of POCSO Act in Crime No.02 of 2022.

3.Learned Additional Public Prosecutor appearing for the respondent states that Section 164 of Cr.P.C statement of the victim girl is recorded and the investigation is almost completed except the medical report.



3.Considering the above fact, 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 Special Court for Exclusive Trial of cases under POCSO Act, Principal District and Sessions Judge at Thiruvannamalai;

(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/-
11/04/2022

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 SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
PRINCIPAL DISTRICT AND SESSIONS JUDGE AT
THIRUVANNAMALAI.



2 THE INSPECTOR OF POLICE,
CHEYYAR ALL WOMEN POLICE STATION,
CHEYYAR.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.DEVENDHIRAN Advocate on payment of necessary charges

CRL OP.7895/2022

Date :11/04/2022

JPA 12/04/2022