



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.8492 of 2022

Manoj @ Manoj Kumar

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Thirupathur,
Thirupathur District.
(Crime No.16 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 pending investigation in Crime No.16 of 2021, on the file of the respondent police.

For Petitioner : Mr.R.Ramesh

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

ORDER

The petitioner who was arrested on 15.12.2021 for the offences punishable under Sections 9(m), 10 of POCSO Act, 2012 in Crime No.16 of 2021, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested on 15.12.2021 on a complaint alleging sexual harassment of a minor girl aged about 12 years. The 164 statement of the minor girl was recorded. The respondent police has completed the investigation and has filed the final report.

3. The learned counsel for the petitioner submits that the case is posted today for framing of charges and the petitioner is to arrange for his defence need liberty.



4. Taking note of 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.25,000/- (Rupees Twenty Five Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, 2012, Vellore, Vellore District.

(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 Trial Court on first working day of every month till the disposal of the trial and attend the trial without fail.

(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/-
12/04/2022

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 JUDGE FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
2012, VELLORE, VELLORE DISTRICT.



2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUPATTUR, THIRUPATHUR DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.RAMESH Advocate on payment of necessary charges
SR.NO.5607

CRL OP.8492/2022

Date :12/04/2022

JPA 12/04/2022