



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.9324 of 2022

Sakthivel

.. Petitioner

Vs.

State rep.by
The Inspector of Police,
Vaniyambodi Town Police Station,
Thiruppathur District.
(Crime No.39 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.39 of 2022 pending investigation on the file of the respondent.

For Petitioner : Mr.E.Kannadasan

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

O R D E R

The petitioner who was arrested on 13.02.2022 for the alleged offences under "Girl Missing" subsequently altered into Section 363, 366, 109 of IPC, Section 9 of Prohibition of Child Marriage Act again altered into Sections 363, 366, 376(2)(n) of IPC and Sections 5(1), 6 of Protection of Children from Sexual Offence Act 2012 and Section 9 of Child Marriage Act 2006 r/w Section 109 of IPC, in Crime No.39 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner is 19 years old boy and the victim is around 16 years old. On completion of investigation, the police has filed the final report and the same has been taken on file by the Special Court in Spl.S.C.No.8 of 2022.

3.Considering the fact that the investigation is completed, no further custodial interrogation of the petitioner is required as far as this case is concerned in the light of Section 164 of Cr.P.C.



statement given by the victim girl, 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 Judge for Exclusive Trial of Cases under POCSO Act 2012, Vellore.

(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 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/-

22/04/2022

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.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.



3 THE INSPECTOR OF POLICE,
VANIYAMBODI TOWN POLICE STATION,
THIRUPATTUR DISTRICT.

WEB 60BY
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S E.KANNADASAN Advocate on payment of necessary
charges SR.NO. 6075

CRL OP.9324/2022

Date :22/04/2022

RW 22/04/2022