



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.10043 of 2022

M.Rajesh

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
W.31 All Women Police Station,
St. Thomas Mount, Chennai - 600 016.
(Crime No.01 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.01 of 2022 on the file of the Respondent Police seeks bail.

For Petitioner : Mr.K.P.Chandrasekaran

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

O R D E R

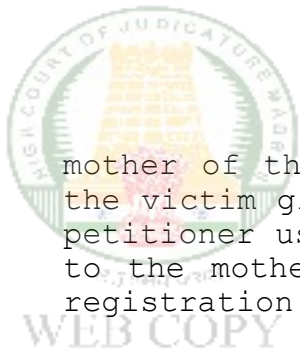
The petitioner, who was arrested and remanded to judicial custody on 05.02.2022 for the offences punishable under Section 6 of Protection of Children from Sexual Offences Act, 2012 in Crime No.01 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested and remanded to judicial custody on 05.02.2022, based on a complaint given by the mother of the victim girl.

3. The learned counsel for the petitioner states that the victim girl and the petitioner were in love and hence false complaint has been registered by the mother of the victim girl against the petitioner.

4. The learned Additional Public Prosecutor states the statement of the victim girl under section 164(5) of Cr.P.C was recorded and the investigation is likely to be completed soon.

5. On reading of the statement of the victim girl under section 164(5) of Cr.P.C indicates that the victim girl's family was a tenant in the petitioners house and later on knowing their love affair, the



mother of the petitioner asked the victim girl to vacate and hence the victim girl's family vacated and residing elsewhere. However, the petitioner used to visit the victim girl's house and it was reported to the mother of the victim girl by her brother which has lead to registration of the complaint.

6. Considering the above facts and also considering the stage of the investigation, this Court is inclined to grant bail to the petitioner.

7. 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 Judicial Magistrate Court -I, Alandur.

(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 shall 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/-

28/04/2022

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 JUDICIAL MAGISTRATE,
NO.I, ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 INSPECTOR OF POLICE
W-31 ALL WOMEN POLICE STATION,
ST.THOMAS MOUNT, CHENNAI-600 016.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, CHENGALPATTU

6 THE OFFICER INCHARGE,
SUB JAIL, CHENGALPATTU

CC to M/S.K.P.CHANDRASEKARAN Advocate on payment of necessary
charges Sr.6434

CRL OP.10043/2022

Date :28/04/2022

RVR 28/04/2022