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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.10190 of 2022

Dhavasiyappan

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Kumaralingam Police Station,
Tiruppur District.
(Crime No.40 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 in Crime No.40 of 2022 on the file of the Respondent police.

For Petitioner : Mr.C.S.Saravanan

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

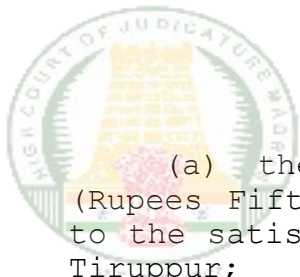
O R D E R

The petitioner, was arrested and remanded to judicial custody in Crime No.40 of 2022, on the file of the respondent police on 18.03.2022 for the alleged offences punishable under Section 361 of Indian Penal Code read with 5(1) of Protection of Children from Sexual Offences (POCSO) Act 2012 seeks bail

2. The learned Additional Public Prosecutor submits that investigation completed and final report has been taken on file in Spl.S.C.No. 52 of 2022.

3. Recording the same, this Court is inclined to grant bail to the petitioner with a condition that the petitioner shall co-operate for the trial proceedings regularly.

4. 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, Mahila Court(FAC), Tiruppur;

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(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 trial Court on every first working day of the month;

(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/-

29/04/2022

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.

TO

1 THE SESSIONS JUDGE,
MAHILA COURT(FAC), TIRUPPUR

2 THE OFFICER INCHARGE,
DISTRICT PRISON, TIRUPPUR

3 THE INSPECTOR OF POLICE,
KUMARALINGAM POLICE SATION,
TIRUPPUR DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S C.S.SARAVANAN Advocate on payment of necessary charges

CRL OP.10190/2022

Date :29/04/2022

RVR 02/05/2022