



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.10399 of 2022

RAGHUPATHY

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
V.KALATHUR POLICE STATION,
PERAMBALUR.
CRIME NO.34/2022.

[RESPONDENT]

For Petitioner : M/S.P.TAMILAVEL Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 12.03.2022 for alleged offence under Sections 7 r/w 8, 11(iv) and 12 of POCSO Act, 2012 in Crime No.34 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had called the victim girl and had proposed love and had also kissed the victim girl and attempted to sexually assault her.

3. Heard Mr.P.Tamilavel, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Criminal Side) for the respondent police.



4. The Court below recorded statement of the victim girl under Section 164 of Cr.P.C and it is seen from the statement that the victim girl categorically states that she fell in love with the petitioner and she did not make any allegations against the petitioner as found in the FIR.

5. Considering the age of the petitioner and also the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail by imposing stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, each for a like sum to the satisfaction of the Sessions Judge, Mahila Court, Perambalur, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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/-

19/05/2022

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 SESSIONS JUDGE,
MAHILA COURT, PERAMBALUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE INSPECTOR OF POLICE,
V.KALATHUR POLICE STATION,
PERAMBALUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.TAMILAVEL Advocate on payment of necessary
charges SR.NO. 7372

CRL OP.10399/2022

Date :19/05/2022

RW 19/05/2022