



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D. BHARATHA CHAKRAVARTHY

CRIMINAL ORIGINAL PETITION No.11140 of 2022

R.GOKULAKRISHNAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION-NORTH,
TIRUPPUR,
TIRUPPUR DISTRICT.
CRIME NO.11 OF 2022

[RESPONDENT]

For Petitioner : M/S.S.SIVAKUMAR Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

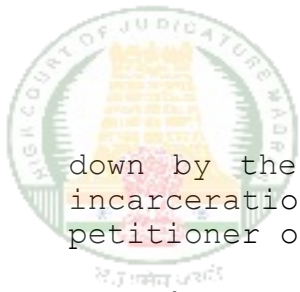
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner herein, who was arrested and remanded to judicial custody on 27.03.2022 for the alleged offences under Sections 5(1) and 6 of Protection of Child from Sexual Offences Act, 2012, in Crime No.11 of 2022 on the file of the respondent police, seeks bail.

2. On a perusal of the statement given by the victim before the trial Court, it is seen that the victim, who is now aged 20 years, and the accused, who is now aged 22 years, were in a relationship for a period of more than three years and during the said period even when the victim was a minor child, the petitioner had physical intercourse and thereby committed the offence.

3. Considering the nature of allegations, the age and background of both the defacto complainant and the petitioner and the fact that the petitioner now offered to marry the victim, but however turned



down by the victim, and the fact that the petitioner is suffering incarceration from 27.03.2022, I am inclined to enlarge the petitioner on bail subject to imposing certain conditions.

4. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court (FTMC), Tiruppur, on the following further conditions:-

[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 on every Monday at 10.30 a.m, until further orders.

[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.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

26/05/2022

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 (FTMC), TIRUPPUR.

2 THE OFFICER INCHARGE,
SUB JAIL, TIRUPPUR.



3 THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION-NORTH,
TIRUPPUR,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SIVAKUMAR Advocate on payment of necessary
charges SR.NO. 7910

CRL OP.11140/2022

Date :26/05/2022

RW-26/05/2022