



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.11412 of 2022

S.NANDHAKUMAR @ NANTHAKUMAR

[ PETITIONER / ACCUSED ]

Vs

THE INSPECTOR OF POLICE  
VENNANTHUR POLICE STATION,  
NAMAKKAL DISTRICT.  
CRIME NO. 23/2022.

[ RESPONDENT ]

For Petitioner : M/S. K.A.MARIAPPAN 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 24.02.2022 for alleged offence under Section 366 IPC and Section 5 (1) r/w 6 of POCSO Act in Crime No.23 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had kidnapped the victim girl and sexually abused her.

3. Heard Mr.K.A.Mariappan, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Criminal Side) for the respondent.

4. In the present case, it is clear from the statement given by the victim girl under Section 164 Cr.P.C. that she had love affair with the petitioner and the same resulted in both of them eloping and she had stated that the petitioner forcibly had intercourse with her.



The investigation has been completed and the final report will be filed any time. The petitioner has also suffered incarceration for nearly 80 days.

5. Taking into consideration the facts and circumstances of the case and also the fact that the investigation has been completed and final report will be filed any time, 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 POCSO Court, Namakkal, 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 POCSO COURT,  
NAMAKKAL.

2 THE SUPERINTENDENT,  
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE  
VENNANTHUR POLICE STATION,  
NAMAKKAL DISTRICT.

+1 CC to M/S. K.A.MARIAPPAN Advocate on payment of necessary  
charges SR.NO. 7471

CRL OP.11412/2022

Date :19/05/2022

RW 19/05/2022