



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Twenty Third day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.12224 of 2022

AKASH

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
ARAKKONAM,  
RANIPET DISTRICT.  
CRIME NO.2/2021.

[ RESPONDENT ]

For Petitioner : M/S. K. G. SENTHIL KUMAR 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 03.04.2022 for the alleged offence under Sections 5(j) (ii), 5(1) r/w Sec.6 of POCSO Act in Crime No.2 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner committed penetrative sexual assault on the minor victim girl and she also became pregnant.

3. Heard Mr.K.G.Senthil Kumar, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Crl.Side) for the respondent Police.



4. This Court carefully went through the 164 statement recorded from the minor victim girl. It is seen that the petitioner and minor victim girl had a love affair for nearly 2 to 3 years. The minor victim girl makes a clear statement that there was a force exerted by the petitioner. It seems that they regularly had physical intercourse and the victim girl also became pregnant.

5. Taking into consideration of the facts and circumstances of the case and also the statement of minor victim girl and also the fact that the petitioner had already suffered incarceration for nearly 51 days and the investigation has been completed by the police, this Court is inclined to enlarge the petitioner on bail.

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 learned Judicial Magistrate, Arakkonam, Ranipet District 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/-

23/05/2022

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.



1 THE JUDICIAL MAGISTRATE,  
ARAKKONAM, RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE. [FOR INFORMATION]

3 THE SUPERINTENDENT,  
CENTRAL PRISON, VELLORE.

4 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
ARAKKONAM, RANIPET DISTRICT.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S. K. G. SENTHIL KUMAR Advocate on payment of  
necessary charges SR.NO. 7787

CRL OP.12224/2022

Date :23/05/2022

RW-24/05/2022