



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.12658 of 2022

CHANDRU

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
PALLADAM AWPS,
TIRUPPUR
CRIME NO.448/2021

[RESPONDENT]

For Petitioner : M/S.S.VALARMATHI 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 15.03.2022 for the alleged offences under Sections 366 IPC and 5(1), 5(j)(ii) r/w 6 of POCSO Act and 9 of the Prohibition of Child Marriage Act, in Crime No.448 of 2021 on the file of the respondent police, seeks bail.

2. The allegation against the petitioner, who is aged about 22 years is that he was in love with the victim minor girl, aged about 16 years and then they eloped from their homes and got married and had physical intercourse.

3. Considering the nature of allegation, the age and the background of the petitioner and the victim minor girl and that since the petitioner is in judicial custody from 15.03.2022, 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 Judicial Magistrate, Palladam, 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 JUDICIAL MAGISTRATE,
PALLADAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.



4 THE INSPECTOR OF POLICE,
PALLADAM- AWPS,
TIRUPPUR

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.VALARMATHI Advocate on payment of necessary
charges SR.NO. 7967

CRL OP.12658/2022

Date :26/05/2022

RW-26/05/2022