



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Twenty Seventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D.BHARATHA CHAKRAVARTHY
CRIMINAL ORIGINAL PETITION No.12471 of 2022

SANTHOSH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
AVANASHI ALL WOMEN POLICE STATION,
TIRUPPUR DISTRICT
(CRIME NO.154/2022)

[RESPONDENT]

For Petitioner : M/S. S.P.HARI KRISHNAN 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, who was arrested and remanded to judicial custody on 27.03.2022 for the alleged offences under Sections 5(i) r/w 6 of POCSO Act in Crime No.154 of 2022 on the file of the respondent police, seeks bail.

2. On perusal of the statement recorded under Sec.164 of Code of Criminal Procedure before the learned Judicial Magistrate, it is seen that the victim child, who is aged about 17 years and the accused, who is aged about 22 years, had a love affair and they eloped and had intercourse.

3. Considering the age of the parties, nature of allegations and the fact that the petitioner is in prison from 27.03.2022, I am inclined to enlarge the petitioner on bail.

4. Accordingly, the petitioner is ordered to be released on bail on his 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, Mahalirneethimandram (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.

WEB COPY [b] the petitioner shall report before the respondent police once in a week 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/-

27/05/2022

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,
MAHALIRNEETHIMANDRAM (FTMC) ,
TIRUPPUR

2 THE SUPERINTENDENT,
CENTRAL PRISON,
COIMBATORE.

3 INSPECTOR OF POLICE,
AVANASHI ALL WOMEN POLICE STATION,
TIRUPPUR DISTRICT



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

CC to M/S. S.P.HARI KRISHNAN Advocate on payment of necessary
charges Sr.7986

CRL OP.12471/2022

Date :27/05/2022

RVR 27/05/2022