



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

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V.KARTHIKEYAN
CRIMINAL ORIGINAL PETITION No.12792 of 2022

SELVARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARAKKONAM,
RANIPET DISTRICT
CRIME NO.8/2022

[RESPONDENT]

For Petitioner : M/S.G.P.SIVAKUMAR Advocate

For Respondent : M/S. RAJ THILAK, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

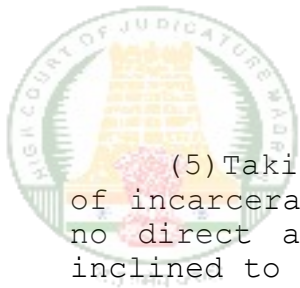
ORDER : The Court Made the following order :-

(1)The petitioner who is arrayed as A2 out of two accused and who was arrested on 21.04.2022 for the alleged offences punishable under Section 341 of IPC and Sections 11[1], 12 and 17 of POCSO Act, 2012 in Crime No.8 of 2022 on the file of the respondent police, seeks bail.

(2)Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

(3)The present petitioner is not directly involved in the offence in Crime No.8/2022 registered by the respondent police for the aforesaid offences.

(4)The petitioner is the friend of A1 who appears to have had a relationship with the victim child. It is stated by the learned Additional Public Prosecutor that even in her statement recorded under Section 164 of Cr.P.C., the victim had not spoken of any direct overt act as against the petitioner herein.



(5) Taking into consideration the above facts and also the period of incarceration already suffered by the petitioner and that there is no direct allegation against the petitioner herein, this Court is inclined to grant bail to the petitioner.

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(6) 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 Special Judge for Exclusive Trial of Cases under POCSO At, 2012, Vellore and on further condition 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 daily at 10.30 am., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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/-

01/06/2022

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 SPECIAL JUDGE FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT-2012,
VELLORE



2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

3 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARAKKONAM, RANIPET DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.P.SIVAKUMAR Advocate on payment of necessary
charges Sr.8243

CRL OP.12792/2022

Date :01/06/2022

RVR 01/06/2022