



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.15509 of 2022

Mannatha Goundar @ Bablu

...Petitioner

Vs.

State, Rep. by
The Inspector of Police,
AWPS Kangeyam Police Station,
Tiruppur.
Crime No.08 of 2022

...Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with the Crime No.08 of 2022 on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.03.2022 for the offence under Sections 5(1), 5(n) read with Section 6 of POCSO Act 2012 in Crime No.8 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the mother-in-law and the victim girl is the sister-in-law of the petitioner. The petitioner married the defacto complainant's elder daughter and it is alleged that the petitioner had committed sexual assault on the younger daughter of the defacto complainant aged about 14 years. Hence, the complaint was registered as against the petitioner.

3. Today, the victim girl and her mother were present before this Court and they both represented that they entered into compromise with the petitioner and further he only taking care of them since the defacto complainant's husband got deserted from his family.



4.The learned counsel appearing for the petitioner submitted that the petitioner was arrested and remanded to judicial custody on 25.03.2022. Hence, he prays for grant of bail to the petitioner.

5.The learned Additional Public Prosecutor submitted that earlier this Court dismissed the petitioner's bail petition in Crl.O.P.No.15509 dated 14.06.2022. However, he opposed to grant bail to the petitioner.

6. Considering the compromise made in between the petitioner and the defacto complainant and also considering the period of incarceration undergone by the petitioner i.e., from 25.03.2022, this Court is inclined to grant bail to the petitioner.

7. Accordingly, 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 blood related sureties, each for a like sum to the satisfaction of the learned Additional Mahila Court, Tiruppur 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 daily at 10.30.a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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.

WEB COPY

-sd/-

05/07/2022

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 ADDITIONAL MAHILA COURT,
TIRUPPUR.

2 THE INSPECTOR OF POLICE,
AWPS KANGEYAM POLICE STATION,
TIRUPPUR.

3 THE OFFICER INCHARGE,
SUB JAIL, TIRUPPUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S D.PADMANABHAN Advocate on payment of necessary
charges SR.No.10683

CRL OP.15509/2022

Date :05/07/2022

CSK 05/07/2022