



WEB COPY



CrI.OP.No.16615 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2022

CORAM

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

CrI.OP.No.16615 of 2022

Vijayakumar

...Petitioner

Vs.

State Represented by
Inspector of Police,
Omalur All Women Police Station,
[Crime No.7 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.7
of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.E.Elumalai

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



CrI.OP.No.16615 of 2022

the petitioner.

5. On perusal of the FIR, this Court finds that there is no sexual assault on the victim girl and therefore custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant bail to the petitioner.

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 blood related sureties**, each for a like sum to the satisfaction of the **Sessions Judge Court (Special Court for POCSO Act cases) Salem 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 twice daily at 10.30 a.m. and 05.30 p.m. for a period of six weeks and thereafter as and when required for interrogation.

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



CrI.OP.No.16615 of 2022

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.

22.07.2022

Sma

To

1. Sessions Judge Court

4/6



Crl.OP.No.16615 of 2022

WEB COPY

(Special Court for POCSO Act cases)
Salem District

2. Inspector of Police,
Omalur All Women Police Station,
3. Central Prison,
Salem
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.16615 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.16615 of 2022

22.07.2022