



WEB COPY



CrI.OP.No.16893 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.16893 of 2022

Kumaravel

...Petitioner

Vs.

State Represented by
Inspector of Police,
All Women Police Station,
Thiruthuraipoondi,
Thiruvarur District
[Crime No.09 of 2022]

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.09 of 2022 on the file
of he Inspector of Police, All Women Police Station, Thiruthuraipoondi,
Thiruvarur District.

For Petitioner : Mr.Swamisubramanian

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



CrI.OP.No.16893 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.06.2022 for the offences punishable under Sections **11(4), 12 of POCSO Act @ 448 of I.P.C read with Section 11(4), 12, 11(3) of POCSO Act** in Crime No.09 of 2022, seeks bail.

2. The case of the prosecution is that, the victim is aged about 17 years and the petitioner is the neighbour. It is alleged that the petitioner herein allegedly entered into the victim girl's house and thereby misbehaved with her. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 05.06.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner compelled the victim girl to love him and thereby misbehaved with her. Hence, he opposed to grant bail to the petitioner.



CrI.OP.No.16893 of 2022

5. Considering the facts and circumstances of the case, 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 Fast Track Mahila Court, Thiruvavarur, Thiruvavarur 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 trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



CrI.OP.No.16893 of 2022

WEB COPY

[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



CrI.OP.No.16893 of 2022

WEB COPY

To

1. Sessions Judge Fast Track Mahila Court,
Thiruvavarur, Thiruvavarur District
2. Inspector of Police,
All Women Police Station,
Thiruthuraipoondi,
Thiruvavarur District
3. District Prison,
Nagapattinam
4. The Public Prosecutor,
High Court of Madras



WEB COPY



CrI.OP.No.16893 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

CrI.O.P.No.16893 of 2022

22.07.2022