



Crl.OP.No.18073 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2022

CORAM

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

Crl.O.P.No.18073 of 2022

R.Ajith

..Petitioner

Vs.

State rep. by the Inspector of Police,
All Women Police Station, Ambathur.
(Crime No.407/2022)

..Respondent

PRAYER:- Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with Crime No.407 of 2022 on the file of the Inspector of Police, All Women Police Station, Ambathur pending investigation.

For Petitioner : Mr.R.Sankarasubbu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.06.2022 for the offence under Section 366 of IPC and Sections 5(l)



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r/w 6 of the POCSO Act, 2012 in crime No.407 of 2022 on the file of the respondent police, seeks bail.

2. It is a case of love affair. On the pretext of marriage, the petitioner had physical relationship with the victim girl. The victim girl now attains majority. Her date of birth is 14.06.2004.

3. The learned counsel appearing for the petitioner submitted that the petitioner is ready to register their marriage immediately after coming out from the prison, in fact already the petitioner got married with the victim girl.

4. Considering the above submissions, this Court is inclined to grant Bail to the petitioner with certain conditions. 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 Mahalir Neethimandram, Thiruvallur (Fast Track Mahila Court,**



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Thiruvallur) 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 as and when required for interrogation.

[c] the petitioner shall register his marriage with the victim girl immediately after coming from the prison and shall produce the Registration of Marriage certificate before the respondent police within a period of two weeks from the date of releasing from prison, failing which the bail stands automatically cancelled and the respondent police is directed to secure the petitioner and proceed in accordance with Law.

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

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

[f] 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]**.



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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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mpl

To

- 1.The Sessions Judge Mahalir Neethimandram,
Thiruvallur (Fast Track Mahila Court, Thiruvallur).
- 2.The Inspector of Police,
All Women Police Station, Ambathur.
- 3.Central Prison,
Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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