



WEB COPY



Crl.OP.No.20013 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

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

Crl.OP.No.20013 of 2022

Satheeshkumar

...Petitioner

Vs.

The State rep. by
Inspector of Police,
All Women, Police Station,
Tiruppur South,
Tiruppur District.
Crime No.3 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.3/2022 on the file of
the Inspector of Police, All Women Police Station, Tiruppur South,
Tiruppur District.

For Petitioner :Mr.M.Selvam

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

ORDER

The petitioner who was arrested and remanded to judicial
custody on 07.04.2022 for the offences punishable under **Sections 5(I),**



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5(j)(ii) and 6 of POCSO Act in Crime No.3 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on the pretext of love affair, the petitioner had committed penetrative sexual assault on the victim girl aged about 16 years. Hence, the complaint.

3. On perusal of the statement recorded under Section 164 of Cr.P.C. revealed that the victim girl and the petitioner were working in the same Company and they had love affair. Due to the same, they had physical relationship. According to the victim girl, on her consent, without compulsion, she had physical relationship with the petitioner. Now, the charge sheet is laid and the petitioner is facing trial.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e., 07.04.2022, this Court is inclined to grant bail to the petitioner. 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)**



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with **two blood related sureties**, each for a like sum to the satisfaction of the **Learned Session Judge cum Magalir Neethimandram (FTMC) 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 twice daily at 10.30 a.m. and 5.30 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.

[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.

24.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Session Judge cum Magalir Neethimandram (FTMC), Tiruppur.
- 2.The Inspector of Police,
All Women, Police Station,
Tiruppur South,
Tiruppur District.
- 3.Sub-Jail, Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras

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