



CrI.OP.No.19935 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

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

CrI.OP.No.19935 of 2022

Ananthan

...Petitioner

Vs.

The State rep. by
Inspector of Police,
Indur Police Station,
Dharmapuri District.
Crime No.115 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.115/2022 on the file of the Inspector of Police, Indur Police Station Dharmapuri District.

For Petitioner :Mr.P.Thirumalaivasan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 24.07.2022 for the offences punishable under **Sections 363 and 366 of IPC read with Sections 5(I) & 6 of POCSO Act** in Crime



CrI.OP.No.19935 of 2022

No.115 of 2022 on the file of the respondent police, seek bail.

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2. The case of the prosecution is that, on the pretext of love affair, the petitioner kidnapped the minor victim girl aged about 17 years and had sexual intercourse. Hence, the complaint.

3. On the pretext of love affair, the petitioner and the victim girl eloped and stayed together for one day. However, there was no physical relationship between them. Thereafter, the victim girl was secured.

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., 24.07.2022, 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)** with **two sureties**, each for a like sum to the satisfaction of the **Fast Track Magalia Court (FTMC) Dharmapuri**, and on further conditions that:



CrI.OP.No.19935 of 2022

[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 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.

24.08.2022

mpl



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CrI.OP.No.19935 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Fast Track Magalia Court (FTMC) Dharmapuri.
- 2.The Inspector of Police,
Indur Police Station,
Dharmapuri District.
- 3.Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras

CrI.O.P.No.19935 of 2022

24.08.2022