



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 03/02/2022
PRESENT

WEB COPY

The Hon'ble Mr.Justice G.ILANGO VAN
Crl.OP(MD)No.60 of 2022

M.Selvakumar ... Petitioner/Sole Accused

Vs.

The state represented by
The Inspector of Police,
Theni Police Station,
Theni.
(Crime No.981 of 2021)

... Respondent/Complainant

For Petitioner : Mr.C.Jeganathan, Advocate
For Respondent : Mr.SS.Madhavan,
Government Advocate (Crl. side)

PETITION FOR BAIL under Sec.439 of Cr.P.C

PRAYER :-

For Bail in Crime No.981 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused was arrested and remanded to judicial custody on 02.12.2021 for 'girl missing' @ 366 IPC and section 6 of POCSO Act, 2012, in Crime No.981 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused has committed penetrative aggravated sexual assault on the victim girl.

3.Heard both sides.

4.The learned counsel appearing for the petitioner would submit that the victim girl was studying 11th standard in Theni Nadar School and she was in love with the petitioner. When an attempt was made by the parents of the victim girl to marry her to some other boy, she voluntarily left the parental home and only at the instance and pressure made by the victim girl, she was taken by the petitioner. Later they were secured from Mysore. The petitioner was arrested on 01/11/2021 and remanded to judicial custody and ever-since, he is in custody.



5.The earlier bail application that was filed by this petitioner came to be dismissed by the Special Court, Theni, in Crl.MP No.1292 of 2021, dated 17/12/2021 on the ground that if the petitioner is released on bail, there is every likelihood of tampering the witnesses.

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6.Considering the facts and circumstances of this case and also considering the duration of custody of the petitioner and major portion of the investigation might have been over by this time, 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 (Fast Track Mahila Court), Theni and on further condition that the petitioner shall report before the respondent police once in 15 days at 10.30 am until further orders.

sd/-

03/02/2022

/ TRUE COPY /

04/02/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE SESSIONS JUDGE,
MAHALIR NEETHIMANDRAM (FAST TRACK MAHILA COURT),
THENI.
- 2 THE INSPECTOR OF POLICE
THENI POLICE STATION, THENI.
- 3 THE SUPERINTENDENT,
CENTRAL JAIL, THENI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.60 of 2022

Date : 03/02/2022

SS/PN/SAR-II/04.02.2022 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>