



days and when that was brought to the knowledge of the parents, they have scolded her. On 12/04/2021 the accused by stating that if the child is born, the parents will not make any objection for marriage, so on that scope, she was subjected to sexual abuse.

5.The petitioner moved the bail application before the Special Court for POCSO Act Cases, Tirunelveli and that came to be dismissed on 16/12/2021, wherein it has been observed that when the first bail application was moved, the victim has stated before the court by way of reply that she will not object, if the petitioner is released on bail. But that was not supported by any document and on that ground of statement of the victim, that bail application came to be dismissed.

6.Now the learned counsel appearing for the petitioner would submit that it is purely love affair between the petitioner and the victim girl and because of some sort of trouble, this case has been registered. The age of the victim girl, as found from the birth certificate, is seen as 11/10/2004. The date of the occurrence is stated to be 12/04/2021. So on the date of the occurrence, it is seen that she was aged about 17 +. It is also seen that she was in love with this petitioner. But however, a strong allegation has been made to the effect that this petitioner had sexual intercourse with her under force. She was also four months pregnant on the date of the complaint. What went wrong between the petitioner and the victim girl is not clear on record. Even though there was a love affair, but since the victim has stated that against her consent, she was subjected to intercourse. So, the petitioner has to face the trial process.

7.However, considering the duration of the custody of the petitioner, this petitioner is entitled for bail with 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, Special Court for POCSO Act Cases, Tirunelveli and on further condition that the petitioner shall report before the respondent police once in 15 days at 10.00 am until further orders.

sd/-
12/01/2022

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/ /2022

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

TO

1 THE SESSIONS JUDGE,

<https://hcserv02.ecs.courts.gov.in/DOJSP/Res> SPECIAL COURT FOR POCSO ACT CASES, TIRUNELVELI



2 THE INSPECTOR OF POLICE
TENKASI ALL WOMEN POLICE STATION,
TENKASI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.76 of 2022
Date :12/01/2022

SA/JC/SAR 1/12.01.2022/3P-5C