



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Dated: 02/02/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

WEB COPY

Crl.OP(MD)No.868 of 2022

Venkatakrishnan

... Petitioner/Accused

Vs.

The State rep. By
The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.30 of 2021)

... Respondent/Complainant

For Petitioner : Mr.A.ARUPUTHARAJA, 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.30 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

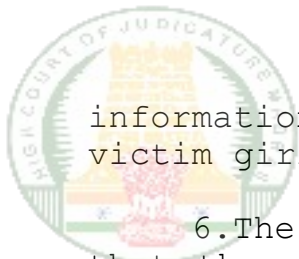
The petitioner, who is arrayed as sole accused was arrested and remanded to judicial custody on 12.12.2021 for the offence punishable under section 11(1), 12 of the POSCSO Act 2012, in Crime No.30 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused person trespassed into the house of the de-facto complainant in a drunken mood and committed sexual harassment on the victim child. Hence, the case.

3.Heard both sides.

4.The earlier bail application that was filed by the petitioner came to be dismissed by this court, in Crl.OP(MD)No.20541 of 2021, dated 22/12/2021 on the ground that the investigation is in the preliminary stage. The second bail application has been filed based on the 164 statement that alleged to have been given by the victim.

5.According to the learned counsel appearing for the petitioner, during the course of 164 statement, the victim girl has not implicated no criminal activity against this petitioner. But however, the learned counsel appearing for petitioner has collected



information with regard to the contents of 164 statement of the victim girl is not understandable.

6.The entire CD file has been called for and perused. It shows that the petitioner is a neighbour of the victim girl and he made trouble to the victim during night ours by roaming around the house of the victim and tried to make nuisance and when the relatives as well as neighbours came to the rescue of the victim, the petitioner went away from the place.

7.The statement of the victim, which was recorded under section 164 of Cr.P.C shows that a frequent trouble has been made by the petitioner as mentioned earlier during the night hours. It is a clear of misbehaviour on the part of the petitioner towards the victim girl, who is aged about 17 years. It is further seen that major portion of the investigation is also over and the petitioner is in custody from 12/12/2021.

8.Considering above facts and circumstances of the case and also considering the period of incarceration, this court is inclined **to enlarge the petitioner on bail** with certain conditions.

9.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, Fast Track Mahila Court, Ramanathapuram District and on further condition that the petitioner shall report before the Judicial Magistrate No.1, Madurai once in 15 days at 10.00 a.m. until further orders. The petitioner is also directed to stay away from the place of occurrence until further orders.

sd/-
02/02/2022

/ TRUE COPY /

02/02/2022
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,
FAST TRACK MAHILA COURT,
RAMANATHAPURAM DISTRICT.



2 THE OFFICER INCHARGE
DISTRICT PRISON SUB-JAIL,
THIRUPPATHUR,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT.

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

COPY TO:

1 THE JUDICIAL MAGISTRATE NO.1
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

ORDER

IN

CRL OP(MD) No.868 of 2022

Date :02/02/2022

SA/PA/SAR.4/02.02.2022/3P/7C