



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 25/01/2022

PRESENT

**The Hon'ble Mrs. Justice R. THARANI**  
**CRL OP(MD). No.567 of 2022**

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... PETITIONER/SOLE ACCUSED

**VS**

THE STATE REP. BY,  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
TIRUNELVELI RURAL.  
(CRIME NO. 16 OF 2021).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.K.Navaneetha Raja, Advocate.  
For Respondent : Mr.S.S.Madhavan,  
Government Advocate (Crl.Side)

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

**PRAYER :-**

For Bail in Crime No.16 of 2021 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

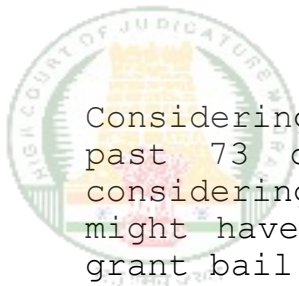
The petitioner/Sole Accused herein, who was arrested on 14.11.2021 for the alleged offence under Sections 5(1) and 6 of POCSO Act and Section 506(ii) of IPC in Crime No.16 of 2021, on the file of the respondent police, seeks bail.

2.The case against the petitioner is that he committed sexual assault against the victim girl. Hence, a case in Crime No.16 of 2021 has been registered.

3.On the side of the petitioner it is stated that the petitioner and the victim girl love each other. The victim is aged about 17 years and 8 months. They are relatives. When their love affair came to the knowledge of the victim's parents they foisted the false case against the petitioner. The petitioner is not a cousin brother. He is only a distant relative to the victim. The petitioner is in custody for the past 73 days and prayed the petitioner to be released on bail.

4.On the side of the prosecution it is stated that the petitioner and the victim are under a prohibitory relationship. The petitioner is a cousin brother to the victim. By threatening the victim, the petitioner had committed sexual assault on a relative cousin sister and prayed the petition to be dismissed.

<https://hcservices.equity.gov.in/hcservices> It is seen that the age of the petitioner is 23 years.



Considering the age of the petitioner and that he is in custody for past 73 days and considering the period of incarceration and considering the fact that the major portion of the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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 daily at 10.30 a.m. for a period of thirty days.

sd/-  
25/01/2022

/ TRUE COPY /

25/01/2022  
Sub-Assistant Registrar (C.S-III)  
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,  
SPECIAL COURT FOR POCSO ACT CASES, TIRUNELVELI.
2. THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
TIRUNELVELI RURAL.
3. THE SUPERINTENDENT,  
CENTRAL PRISON, PALAYAMKOTTAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.567 of 2022  
Date : 25/01/2022

USK/VR/SAR-III/25.01.2022/2P/5C