



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R. THARANI

CRL OP(MD). No.950 of 2022

Megachandran,

... Petitioner/Accused No.2

Vs

The State rep by,
The Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.
Cr.No.200 of 2021.

... Respondent/Complainant

For Petitioner : MR.S.Deenadhayalan, Advocate.

For Respondent : Mr.K.Sanjay Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

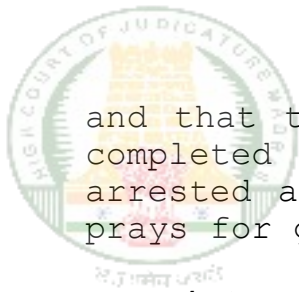
For Bail in Crime No.200 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2 herein, who was arrested on 30.12.2021 for the alleged offence under Sections 363, 506(i) of IPC and Sections 7, 8, 5(1) r/w 6, 16, 17 of POCSO Act, 2012, in Crime No.200 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the first accused had kidnapped the victim girl and has committed penetrative sexual assault on her. The girl missing case was then altered to sections 363, 506(i) of IPC and Sections 7, 8, 5(1) r/w 6, 16, 17 of POCSO Act, 2012, in Crime No.200 of 2021.

3.On the side of the petitioner it is stated that the petitioner/A2 who is the paternal uncle of A1 and he is residing at Anuramapuram Refugee Camp, Marakkanam Taluk, Vizhupuram District



and that the petitioner is not aware that the victim girl has not completed 18 years. It is also stated that the petitioner was arrested and remanded to judicial custody on 30.12.2021. Hence, he prays for grant of bail.

4. On the side of the respondent, it is stated that the victim girl has not completed 18 years and the petitioner has helped A1 to commit the offence and that 164 Cr.P.C statement was recorded and the medical test was over and prayed the petition to be dismissed.

5. It is seen that that the petitioner is in judicial custody from 30.12.2021 and considering the period of incarceration and considering the overtact attributed against the petitioner, 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 Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Virudhunagar District, Srivilliputtur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
20/01/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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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 SPECIAL JUDGE,
FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
2012, VIRUDHUNAGER DISTRICT ,
SRIVILLIPUTHUR.



2 THE INSPECTOR OF POLICE,
SOOLAKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT PRISON,
VIRUDHUNAGAR.

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

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-320[I] dated 20/01/2022)

ORDER

IN

CRL OP(MD) No.950 of 2022

Date :20/01/2022

PKP/PN/SAR-1/21.01.2022/3P/6C