



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/02/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.1456 of 2022

Thakkarai Peer Mohamed

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Tirunelveli,
Tirunelveli District.
(Crime No.19 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Mohanasundaram.R.,
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.19 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who were arrested on 07.12.2021 for the alleged offence under Sections 11(1) and 12 of POCSO Act, 2012, in Crime No.19 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner sent abusive messages and gave a sexual torture to the victim girl through whatsapp. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 07.12.2021.



4.The learned Government Advocate(Crl.side) appearing for the respondent submitted that the petitioner is aged about 19 years and the victim is aged about 13 years and also submitted that the mobile phone has already been recovered from the petitioner.

5.Considering the facts and circumstances of this case and the age of the petitioner and also considering the duration of custody, 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 POCSO Act Cases, Tirunelveli and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

7.The petitioner shall file an undertaking affidavit before the concerned Police station that he will not disturb the victim girl or cause any kind of harassment to her in future. If there is any violation of affidavit or if any fresh case is registered against him, the bail granted by this Court shall stand cancelled automatically without any reference to the Court.

sd/-

04/02/2022

/ 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 SPECIAL JUDGE FOR POCSO ACT CASES,
TIRUNELVELI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

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



3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
TIRUNELVELI,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.1456 of 2022

Date :04/02/2022

RS/PN/SAR.2(04.02.2022) 3P-5C