



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 03/02/2022
PRESENT

WEB COPY

The Hon'ble Mr.Justice G.ILANGO VAN
Crl.OP(MD)No.1773 of 2022

Ragupathi

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Virudhunagar West Police Station,
Virudhunagar District.
(Crime No.159 of 2021)

... Respondent/Complainant

For Petitioner : Mr.M.Raja Ravi Verma, 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.159 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as an accused was arrested on 03/12/2021 and remanded to judicial custody for the offences punishable under section 363 IPC and section 9 of Child Marriage Restraint Act, 2006 and section 5(1) r/w 6,7 read with 8 of POCSO Act, 2012, in Crime No.159 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused person on the pretext of love affair, kidnapped the victim child and had penetrative sexual assault.

3.Heard both sides.

4.The earlier bail application that was filed by this petitioner came to be dismissed by this court in Crl.OP(MD)No.70 of 2022, dated 10/01/2022. Similarly on previous occasion, when the bail application was moved before the Special Court, Virudhunagar, in Crl.MP No.1128 of 2021, that was also came to be dismissed, on 22/12/2021.

5.The victim girl age was stated to be 16 years at the time of occurrence. The earlier bail application was dismissed by this court on the ground that the victim girl was taken by the petitioner and later left in a street and went away and she was also subjected to



sexual intercourse promising to marry her. Taking note of the above said facts and circumstances of the case, the earlier bail application came to be dismissed. Now the present bail petition came to be filed on the ground that from 03/12/2021, the petitioner is in custody.

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6. Even though serious allegation is made against this petitioner, considering the duration of the custody of the petitioner and since, major portion of the investigation might have been over by this time, this court is inclined **to grant bail** to the petitioner with certain 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 Special Court for Exclusive Trial of Cases under POSCO Act, 2012, Virudhunagar District @ Srivilliputtur and on further condition that the petitioner shall report before the respondent police once 15 days at 10.30 am until further orders.

sd/-

03/02/2022

/ 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 JUDGE, SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POSCO ACT, 2012,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE
VIRUDHUNAGAR WEST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1773 of 2022

Date : 03/02/2022

SS/VR/SAR-I/04.02.2022 : 2P/5C

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