



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/05/2022
PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD) . No.6123 of 2022

Muthu

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
Pudukkottai All Woman Police Station,
Pudukkottai District.
Crime No.8 of 2022

... Respondent/Complainant

For Petitioner : M/s.ARUL JENIFER.A,
Advocate.

For Respondent : Mr.B.NABMI SELVAN,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No. 8 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

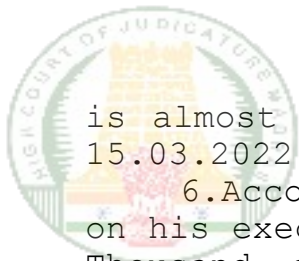
The petitioner who was arrested on 15.03.2022 for the offences under Sections 9(1), 9(n) r/w 10 of POCSO (Amendment) Act, 2019 and 506(i) of IPC, in Cr.No.8 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner has misbehaved with the victim girl aged about 13 years. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has been falsely implicated in this case.

4.The learned Additional Public Prosecutor appearing for the respondent police objected for grant of bail on the ground that the petitioner is aged about 67 years and the victim is aged about 13 years and produced the copy of the statement recorded under Section 164 Cr.P.C. He further submits that the investigation is almost completed.

5.On a perusal of the victim girl's statement, it shows that the petitioner has misbehaved with the victim girl and investigation



is almost completed and the petitioner is in judicial custody from 15.03.2022.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Mahila Court, Pudukkottai.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police on every Monday and Friday at 10.30 a.m., for a period of three months and thereafter as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-

19/05/2022

/ TRUE COPY /

19/05/2022

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, MAHILA COURT, PUDUKKOTTAI.

2 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKKOTTAI.

3 THE INSPECTOR OF POLICE,
PUDUKKOTTAI ALL WOMAN POLICE STATION, PUDUKKOTTAI DISTRICT.

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

ORDER IN

CRL OP(MD) No.6123 of 2022

Date : 19/05/2022

SA/SVR/SAR.3/19.05.2022/2P/5C

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