



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.6480 of 2022

Selvaraj

... Petitioner/Sole Accused

Vs

State represented by
The Inspector of Police,
All Women Police,
Keeranur Police Station,
Pudukkottai District.
(Crime No.8 of 2022).

... Respondent/Complainant

For Petitioner : Mr.K.M.Karunakaran, Advocate
for Mr.M.Arun Shankar, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.

PETITION FOR BAIL Under Section 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/sole accused, who was arrested and remanded to judicial custody on 23.03.2022 for the offences punishable under Sections 7 and 8 of POCSO Amendment Act, 2019, in Crime No.8 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 22.03.2022, the petitioner went to the victim girl's house and misbehaved with her, who is 16 years old. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the victim girl was studying 12th standard at the time of the alleged occurrence and that the petitioner is innocent and he has nothing to do with the alleged occurrence.



4.The learned Additional Public Prosecutor would submit that the victim girl, in her statement recorded under Section 164 Cr.P.C., has reiterated the complaint version.

5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 23.03.2022 and that the petitioner is not having any bad antecedents, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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 Sessions Judge, Mahila Court, Pudukkottai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Sessions Judge/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 daily at 10.30 a.m., for a period of one month 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 Sessions Judge/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 Sessions Judge/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***.

(vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

25/04/2022

/ TRUE COPY /

25/04/2022

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



TO

1 THE SESSIONS JUDGE,
MAHILA COURT,
PUDUKKOTTAI.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KEERANUR, PUDUKKOTTAI DISTRICT.

3 THE OFFICER INCHARGE,
DISTRICT JAIL,
PUDUKKOTTAI.

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

ORDER

IN

CRL OP(MD) No.6480 of 2022

Date :25/04/2022

RS/VR/SAR.3 (22.04.2022) 3P-5C