



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 07/06/2022

PRESENT

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**The Hon`ble Mr.Justice K.MURALI SHANKAR**

CRL OP(MD) . No.7886 of 2022

Sriram

... Petitioner/Sole Accused

Vs

State represented by its  
The Inspector of Police,  
Subramanianpuram Police Station,  
Madurai District.  
(Crime No.114 of 2022).

... Respondent/Complainant

For Petitioner : Mr.M.Chandrabose,  
Advocate.

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor (Crl.Side)

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

PRAYER :-

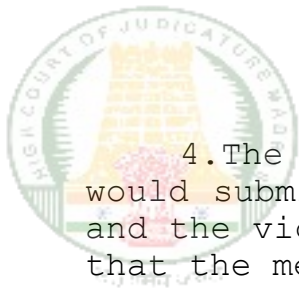
For Bail in Crime No.114 of 2022 on the file of the Respondent Police.

**ORDER :** The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 03.03.2022 for the offences punishable under Section 'Girl Missing' altered into Section 366 IPC, Sections 5(1) r/w 6 of POCSO Act and Sections 3(1)(w)(i) and 3(2)(V) of SC/ST Act, in Crime No.114 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had kidnapped the defacto complainant's daughter, who is a minor girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner and the victim girl were in love, that the victim girl alone had eloped with the petitioner and that the victim girl was aged above 17 years at the time of the alleged occurrence.



4.The learned Additional Public Prosecutor (Criminal Side) would submit that there existed love affairs between the petitioner and the victim girl, that the victim girl was born on 29.04.2004 and that the medical examinations are already over.

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5.Considering the above facts and circumstances and also the facts that the petitioner is in judicial custody from 03.03.2022, that the medical examinations are already over and that investigation is almost completed as stated by the learned Additional Public Prosecutor, 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, Special Court for the Exclusive Trial of POCSO Act Cases, Madurai.

(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/-  
07/06/2022

/ TRUE COPY /

07/06/2022  
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 SESSIONS JUDGE,  
SPECIAL COURT FOR THE EXCLUSIVE TRIAL OF  
POCSO ACT CASES, MADURAI.
2. THE INSPECTOR OF POLICE,  
SUBRAMANIANPURAM POLICE STATION,  
MADURAI DISTRICT.
3. THE OFFICER-INCHARGE,  
DISTRICT PRISON, THENI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.7886 of 2022  
Date :07/06/2022

csm  
USK/PN/SAR-III/07.06.2022/3P/5C