



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice **M.S.RAMESH**

CRL OP(MD). No.8557 of 2022

Sahul Hameed

... Petitioner/3rd Accused

Vs

The State rep.by,
The Inspector of Police,
Melur Police Station,
Madurai District.
(Crime No.88 of 2022).

... Respondent/ Complainant

For Petitioner : Mr.D.Venkatesh,
Advocate.

For Respondent : Mr.A.Thiruvadikumar,
Additional Public Prosecutor.

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

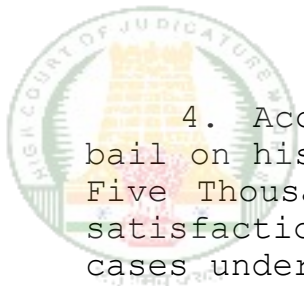
PRAYER :-For Bail in Crime No.88 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.3, who was arrested and remanded judicial custody on 06.03.2022 for the offences punishable under Sections 5(1) & 6 of the Protection of Children from sexual offences (POCSO) Act 2012 @ 143, 366(A) & 302 IPC and Section 5(1) & 6 of the Protection of Children from sexual offences (POCSO) Act 2012 in Crime No.88 of 2022, on the file of the respondent police, seeks bail.

2. The allegation against the petitioner herein, who has been arrayed as a sixth accused is that when the first accused and the victim eloped from the house and sought for asylum, he had refused to give asylum. Apart from that, there is no overt act attributed as against the petitioner, which caused death of the victim.

3. In this background this Court is of the view that the petitioner may be granted bail.



4. 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 Principal Special Court for trial of cases under POCSO Act, Madurai.

(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 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 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/-

05/05/2022

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05/05/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRINCIPAL SPECIAL COURT
FOR TRIAL OF CASES UNDER POCSO ACT,
MADURAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI DISTRICT.

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

+1 CC to Mr.D.VENKATESH, Advocate (SR-4299[I] dated 05/05/2022)

ORDER

IN

CRL OP(MD) No.8557 of 2022

Date :05/05/2022

AAV

<https://hmcscs.courtscs.gov.in/ncservices/11/05.05.2022/2P/6C>