



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.8603 OF 2022

S.SENTHILKUMAR

... PETITIONER/ACCUSED NO.13

VS

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
AWPS THIRUPARAKUNDRAM POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.11 OF 2022).

... RESPONDENT/COMPLAINANT

FOR PETITIONER : MR.T.PALANISAMY,
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.11 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.13, who was arrested and remanded judicial custody on 17.03.2022 for the offences punishable under Sections 3, 4, 17 of POCSO Act, 307 (4), 370(A)(i) of IPC r/w Section 4(2)(c) of Immoral Traffic (Prevention) Act, 1986 in Crime No.11 of 2022, on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. Alleging that the petitioner herein, who has been arrayed as 13th accused, had sexual intercourse with the child, who was 16 years old and was entangled in prostitution, he has been remanded to custody on 17.03.2022.



4. According to the petitioner, he had not indulged in such an offence and that he had only advised the minor girl to refrain from her illegal acts. Whether the petitioner was involved in the offence or not is the subject matter for investigation. However taking into consideration the fact that the petitioner has been in custody from 17.03.2022, this Court is inclined to grant bail to the petitioner.

5. 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, 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.

AAV

TO

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

2. THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.



3. THE INSPECTOR OF POLICE,
AWPS THIRUPARAKUNDRAM POLICE STATION,
MADURAI DISTRICT.

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

+1cc to M/S.T.PALANISAMY, ADVOCATE, SR.NO.4301 DATED:05.05.2022

ORDER

IN

CRL OP(MD) No.8603 of 2022

Date : 05/05/2022

GC/JM/SAR-3(05.05.2022) 3P 6C