



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 01/06/2022
PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.9239 of 2022

Vinoth Kumar

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Thiruppathur,
Sivagangai District.
(Crime No. 4 of 2022).

... Respondent/Complainant

For Petitioner : M/s.KRISHNAVENI.P,
Advocate.

For Respondent : Mr.E.ANTONY SAHAYA PRABAHAR,
Additional Public Prosecutor

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

PRAYER :- For Bail in Crime No. 4 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

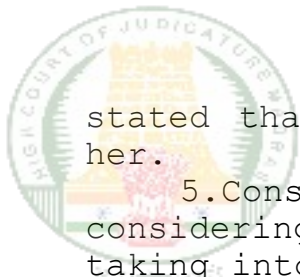
The petitioner/sole accused , who was arrested and remanded to judicial custody on 03.05.2022 for the offences punishable under Sections 5(1) r/w 6 of Protection of Child from Sexual Offences Act, 2012 in Crime No.4 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the victim are relatives and they fell in love with each other. On 15.01.2022, by giving a false promise, the petitioner/accused had sexual relationship with the victim girl. Hence the present case came to be registered.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that the petitioner is in judicial custody from 03.05.2022 and no such occurrence has taken place as alleged by the prosecution. Hence, he seeks bail.

4.The learned Additional Public Prosecutor would submit that 164 statement has been recorded and in the said statement, it is

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



stated that the petitioner / accused had sexual relationship with her.

5. Considering the facts and circumstances of the case and also considering the fact that it is a case of love affair and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge Exclusive for cases under POCSO Act, 2012, Sivagangai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

01/06/2022

/ TRUE COPY /

01/06/2022

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
EXCLUSIVE FOR CASES UNDER POCSO ACT, 2012,
SIVAGANGAI.
- 2 THE OFFICER INCHARGE
SIVAGANGAI SUB JAIL, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUPPATHUR, SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.KRISHNAVENI.P Advocate SR.No.5138

ORDER

IN

CRL OP(MD) No.9239 of 2022

Date : 01/06/2022

SS/PN/SAR.1/01.06.2022/2P/6C