



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.9800 of 2022

Abuthahir

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Atchaputhur Police Station,
Tenkasi,
Tenkasi District.
Crime No.93 of 2022.

... Respondent/Complainant

For Petitioner : Mr.J.Sankara Pandian,
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.93 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 12.04.2022 for the offences punishable under Section 366 of IPC and Section 6 r/w 5(1) of Protection of Children from Sexual Offences Act, 2012 in Crime No.93 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the daughter of the defacto complainant was abducted by the petitioner on 31.03.2022 and on subsequent dates he had sexual intercourse with her. 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 victim now attained majority and she appeared before the Court below and submitted no objection for the release of the petitioner. He would also submit that the petitioner is in judicial custody from 12.04.2022, hence, he seeks



4. Heard the learned Additional Public Prosecutor appearing for the respondent.

5. Considering the facts and circumstances of the case and 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, Special Court For Pocso Act Cases, Tirunelveli District and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
02/06/2022

/ TRUE COPY /

02/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SESSIONS JUDGE
SPECIAL COURT FOR POCSO ACT CASES
TIRUNELVELI DISTRICT
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
ATCHAPUTHUR POLICE STATION, TENKASI,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.9800 of 2022
Date :02/06/2022

vsm/mga
MK/VR/SAR.III/02.06.2022/2P/5C