



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

Date : 22/06/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.9808 of 2022

P.Muninthra Subash

... Petitioner/Single Accused

Vs

The State Rep. By,
The Inspector of Police,
Kuruvikulam Police Station,
Tenkasi District.
Crime No. 73/2022.

... Respondent/Complainant

For Petitioner : M/s.Vinayagan K,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 73 of 2022 on the file of the respondent police.

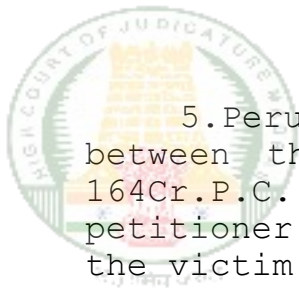
ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 08.05.2022 for the alleged offence under Sections 366(A) IPC r/w 8 and 7 of POCSO Act, in Crime No.73 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the victim girl loved each other and eloped and living in a secluded place. Hence, the parents of the victim girl gave the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner and the victim loved each other. The petitioner is an innocent and not committed any offence and he is in custody for more than 48 days.

4.The learned Government Advocate (Crl.Side) and the respondent police appeared in person and submitted that the victim girl and her parents are objecting to subject the victim girl for medical examination. Most part of the investigation is completed. The mother of the victim gave the complaint against the petitioner.



5.Perusal of records reveals that there was a love affair between the victim and the petitioner. The victim girl in her 164Cr.P.C. Statement has not implicated anything against the petitioner and she was not harassed by the petitioner. Moreover, the victim is not willing for medical examination.

6.Considering the above facts, period of incarceration undergone by the petitioner and stage of the investigation, this Court is inclined to grant bail to the petitioner with stringent conditions.

7.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 Judge, Special Court for POCSO Act Cases, Tirunelveli (FAC), and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
22/06/2022

/ TRUE COPY /

22/06/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

+1 CC to M/s.K.VINAYAGAN, Advocate (SR-5888[I] dated 22/06/2022)

ORDER
IN
CRL OP(MD) No.9808 of 2022
Date :22/06/2022

USK/VR/SAR-III/22.06.2022/2P/6C

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