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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 28/06/2022
PRESENT
The Hon'ble Mr.Justice G.ILANGOVAN
Crl.OP(MD)No.10988 of 2022

Sakitha Begum ... Petitioner/Accused No.1

Vs.

State represented by
The Inspector of Police,
All Women Police Station,
Melur, Madurai District.
(Crime No.14 of 2022) ... Respondent/Complainant

For Petitioner : Mr.S.Ramesh Kumar
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER :-
For Bail in Crime No.14 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A1 was arrested on 22/04/2022 and remanded to judicial custody for the alleged offences punishable under sections 7 and 8 of the Protection of Children from Sexual Offence Act, 2012 and sections 9 and 10 of Child Marriage Act, 2006, in Crime No.14 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that A1 tied tali to the de-facto complainant's daughter, who was aged about 16 years in the presence of A2. A1 also sexually harassed the victim girl. So, on the basis of the complaint given by the father of the victim, the case was registered against the accused persons.

3.Heard both sides.

4.The petitioner is facing the charges for the offences under sections 7 and 8 of the Protection of Children from Sexual Offence Act, 2012 and sections 9 and 10 of Child Marriage Act, 2006 and she was arrested and remanded to custody, on 22/04/2022 and ever-since, she is in custody. The 164 Crl.P.C statement of the victim is also produced.

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5.Without going into the merits of the case, considering the duration of the custody of the petitioner, he is entitled for statutory bail. Even though the final report is made ready, it has not been presented before the concerned court so for. The reason for non presentation of the final report is also not properly explained by the prosecution.

6.In the light of the statement of the victim girl and the duration of the custody of the petitioner, the petitioner is granted **statutory bail** with certain conditions. Accordingly, the petitioner is ordered to be released on bail on her executing a 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 Principal Special Court for Exclusive Trial of cases under POCSO Act, Madurai and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

sd/-
28/06/2022

/ TRUE COPY /

28/06/2022
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 JUDGE,
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT, MADURAI.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, MELUR, MADURAI DISTRICT.

3 THE SUPERINTENDENT, MADURAI SPECIAL PRISON FOR WOMEN, MADURAI DISTRICT.

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

ORDER IN
CRL OP(MD) No.10988 of 2022
Date :28/06/2022

RS/VR/SAR.2 (28.06.2022) 2P-5C

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