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1

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

Dated: 29/07/2022

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVAN**

Cr1.OP(MD)No.12602 of 2022

Jeeva @ Thirumal Azhagar : Petitioner/Sole Accused

Vs.

The State rep. By
The Inspector of Police,
AWPS,
Keeranur,
Pudukottai District.
(Crime No.21 of 2022)

: Respondent/Complainant

For Petitioner : Mr.A.Manikandan

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

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

PRAYER :-

C-58B. For Bail in Crime No.21 of 2022 on the file
of the Respondent Police.

ORDER : The Court made the following order:-



The petitioner, who is arrayed as sole accused was arrested, on 30/06/2022 and remanded to judicial custody for the alleged offences punishable under sections 5(1), 6(1) of Protection of Child from Sexual Offences Act, 2022 (POCS), in Crime No.21 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the de-facto complainant is the father of the victim girl. He lodged a complaint stating that the victim girl was aged about 16 years and she was undergoing 10th Standard in Sevelpatti Government Higher Secondary School. On 27/06/2022, the victim girl was taken by the accused person namely Jeeva @ Thirumal Azhagar to Pudukottai and raped her. On 28/06/2022, he brought the victim girl and dropped nearby her residence and fled away from that place. Based upon the complaint given by the de-facto complainant, investigation was undertaken and the accused was arrested on 30/06/2022 and remanded to judicial custody. The medical examination of the victim girl as well as the accused was also undertaken. Apart from that, section 164 Cr.P.C statement of the victim girl was also recorded.



3. During the course of recording the statement of the victim girl, she has stated that the petitioner is the maternal uncle and she was in love with him for sometime and by her own accord, she went to her senior mother's house. By suspecting that she is having love affairs with this petitioner, her father gave a complaint. But she has not subjected to sexual assault by this petitioner. On the basis of the statement of the victim girl, bail is sought by the petitioner.

4. During the course of examination of the medical examination, the victim girl alleged to have stated before the Doctor that she was subjected to sexual intercourse, on 21/06/2022. But during the course of recording the statement, she has stated that nothing like that happened. Whether she was subjected to sexual intercourse or not, is the matter for investigation. Medical examination was also over and most of the investigation is also completed.

5. So considering the above facts and circumstances of this case, this court is inclined **to enlarge the petitioner on bail** with certain conditions. Accordingly,



4

the petitioner is ordered to be released on bail on his 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 learned Sessions Judge, Mahila Court, Pudukottai and on further condition that the petitioner shall report before the respondent police daily at 10.30 am until further orders.

(G I J)
29.07.2022

ER

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.



5

To,

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- 1.The Inspector of Police,
AWPS,
Keeranur,
Pudukottai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The District Prison,
Pudukottai.



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6

G.ILANGOVAAN ,J

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