



WEB COPY



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

Date : 08/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.12785 of 2022

Ranjith ... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Saptur Police Station,
Madurai District.
(Crime No.106 of 2022). ... Respondent/Complainant

For Petitioner : M/s.S.Balaji, Advocate

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.106 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 7, 8, 11(4), 12 of POCSO Act and Section 506(i) I.P.C, in Crime No.106 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was in love with the daughter of the defacto complainant. On 01.06.2022, at about 08.00PM, the petitioner misbehaved with the victim and the same was warned by the defacto complainant. Thereafter, due to the threatening of the petitioner, the daughter of the defacto



complainant did not go to the school. When the same was questioned by the defacto complainant and her relatives, the petitioner threatened them with dire consequences. Hence, the complaint.

3. On the side of the petitioner it is stated that a false case was foisted against the petitioner. Due to the love affair, a false case was foisted against the petitioner. However, the petitioner also filed an undertaking that he will not give any trouble to the victim. Hence, prays to release him on anticipatory bail.

4. On the side of the prosecution, it is stated that the petitioner used to cause trouble to the victim and prayed to dismiss the petition.

6. Considering the nature of the offence and the circumstances of the case, considering the undertaking given by the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Special Judge for POCSO Act Cases, Madurai, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Judge concerned and on further conditions that:

(a) the petitioner shall file an undertaking affidavit before the trial Court that he will not cause any trouble to the victim in future;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Judge may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation.

(d) the petitioner has to comply the undertaking given by him not to disturb the minor girl;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

(g) on breach of any of the aforesaid conditions, the learned Judge/ Trial Court is entitled to take appropriate action against



the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Judge/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]**; and;

(h)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-

08/09/2022

/ TRUE COPY /

/09/2022

Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

1. THE SPECIAL JUDGE FOR POCSO ACT CASES,
MADURAI.
 2. THE INSPECTOR OF POLICE,
SAPTUR POLICE STATION,
MADURAI DISTRICT.
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.BALAJI S Advocate SR.No.9802

ORDER

IN

CRL OP(MD) No.12785 of 2022

Date :08/09/2022

SP/VRS/SAR II/15/09/2022/3P/5C