



WEB COPY

CRL OP(MD). N



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

Date : 25/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13290 of 2022

Gopalakrishnan, ... Petitioner/Sole Accused

Vs

State Rep by
The Inspector of Police,
Thirukokaranam Police Station,
Pudukottai District.
(Crime No. 165 of 2022). ... Respondent/Complainant

For Petitioner : M/s. Susi Kumar.C,
Advocate.

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

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

PRAYER :-

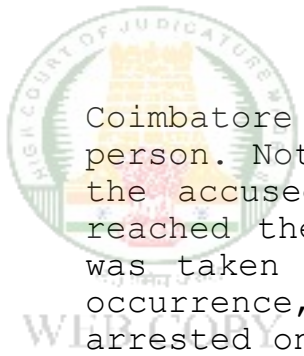
For Bail in Crime No.165 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 07.06.2022 for the alleged offences under Sections 366(A), 11(i), 11(iii) r/w 12, 3 r/w 4 of POCSO (amendment) Act, 2019, in Crime No.165 of 2022, on the file of the respondent police, seeks bail.

2.Reading of the statement of the victim girl shows that she is aged about 16 years at the time of alleged occurrence. She was in love with the petitioner for some time. On knowing about her love, she was warned by her parents. On the particular date, the parents of the victim girl informed her that they have decided to join her in Matharasa School. Which was not liked by her. So, on the same day night, she contacted the petitioner to come and take her. At the request made by her, she was taken by him to Pudukottai, then, to

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Coimbatore and she also stayed in the sister's house of the accused person. Noting the fact that the victim girl is minor, the sister of the accused contacted the police. Based upon that, both of them, reached the Pudukottai Police Station. From where, the victim girl was taken custody by her parents. On the basis of the above said occurrence, now, case has been altered and the petitioner was arrested on 07.06.2022. Ever since, he is in custody.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that as per the Accident Register, there was no sexual assault.

5.Considering the period of incarceration and also considering the fact that no sexual assault committed upon the victim girl, this Court is inclined to grant bail to the petitioner with stringent conditions.

6.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 Mahila Court, Pudukkottai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
25/07/2022

/ TRUE COPY /

25/07/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

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, Mahila Court,
Pudukkottai.
2. The Officer Incharge, District Prison,
Pudukkottai.
3. The Inspector of Police,
Thirukokaranam Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.13290 of 2022

Date : 25/07/2022

TR/PN/SAR-IV(25.07.2022) 3P 5C