



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13826 of 2022

Santhosh Kumar @ Mani,
S/o. Mohan,
No.1088, 1, M.G.R.Road,
Moorthi Thoppu, Sakkottai Post,
Palavanthankattalai, Thanjavur.
... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station, Samayanallur,
Madurai District. Crime.No.124 of 2022.
... Respondent/Complainant

For Petitioner : M/s. Arun Prasad.A,
Advocate.
For Respondent : Mr.R.M.Anbunithi.,
Additional Public Prosecutor

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

PRAYER :-

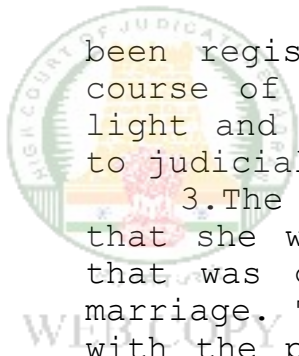
For Bail in Crime No. 124 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 29.06.2022 for the alleged offences under Sections 366 of IPC 5(1), 6 of POCSO Act, 2012, 9 of Prohibition Child Marriage Act, 2006, in Crime No.124 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution in brief:-

The defacto complainant is the father of the victim girl lodged a complaint stating that on 23.06.2022, as usual he went for job. At about 02.30 p.m, he returned to house. At that time, he was told that the victim girl was missing and on enquiry also her whereabouts could not be traced. Based upon the complaint, case has



been registered under the caption for 'girl missing'. During the course of investigation, involvement of the petitioner came to light and both were secured. The accused was arrested and removed to judicial custody. Ever since, he is in custody.

3.The statement of the victim girl was recorded. She stated that she was having contact with the petitioner for some time and that was questioned by the parents and they proposed to arrange marriage. That was not liked by the victim girl. So, she went along with the petitioner. He promised to marry her and also marry her. Later, went several places and stayed Kallakurichi for about a week. Based upon the complaint lodged by the father, she was secured.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. He further submitted that because of the elopement issue only case has been registered.

5.The learned Additional Public Prosecutor submitted that the investigation is in progress. Medical examination of the victim girl as well as the petitioner is over.

6.Considering the period of incarceration and also considering the fact that the investigation is almost over, 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 Sessions Judge Principal Special Court for Trial of Cases Under POCSO Act, Madurai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

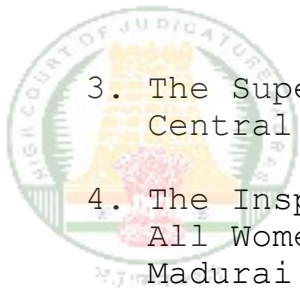
sd/-
02/09/2022

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02/09/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. The Sessions Judge Principal Special Court for Trial of Cases Under POCSO Act, Madurai.
2. Do-Through The Chief Judicial Magistrate, Madurai District.



3. The Superintendent,
Central Prison, Madurai..

4. The Inspector of Police,
All Women Police Station, Samayanallur,
Madurai District. Crime.No.124 of 2022.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.13826 of 2022

Date :02/09/2022

MGJ(02.09.2022) 3P 6C