



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 18/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD). No.14849 of 2022

WEB COPY

Raja

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Surandai Police Station,
Tenkasi District.
Crime No. 119 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Murugan.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. 119 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused herein, who was arrested on 05.07.2022 for the alleged offence under Section Girl Missing @ 366 IPC r/w Section 7, 8 of POCSO Act, 2012, in Crime No.119 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.05.2022, the victim girl was found missing. In spite of several search, the defacto complainant could not find out the victim. Originally the case has been filed under Girl Missing. After enquiry, it was found that the petitioner kidnapped the victim.

3.From the investigation, it reveals the fact that as per the statement given by the victim, she was in love with the petitioner and the same was not liked by her parents. As per her wish only the petitioner took her from her parental home. Since the age of the victim was only 17 years, she returned to her home. There was no allegation of sexual assault by the petitioner.

4.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. The petitioner also filed an undertaking that he will marry the victim after she attains



5.The learned Additional Public Prosecutor submit at the statement of the victim was recorded under Section 164 Cr.P.C and also produced the same.

6.Considering the facts and circumstances of the case, the affidavit filed by the petitioner that he will marry the victim after she attains majority and also the period of incarceration, 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, Special Court for POCSO Act Cases, Tirunelveli, on further condition that the petitioner shall also file an undertaking affidavit before the trial Court that he will marry the victim after she attains majority and co-operate during the trial and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

18/08/2022

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18/08/2022

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

TO

1. THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
SURANDAI POLICE STATION,
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.MURUGAN, Advocate (SR-8696[I] dated 18/08/2022)

ORDER IN

CRL OP(MD) No.14849 of 2022

Date :18/08/2022

USK/VR/SAR-IV/18.08.2022/2P/6C

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