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CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17984 of 2022

Sasikumar

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Ottanchatram,
Dindigul District.
Crime No.18/2022.

... Respondent/Complainant

For Petitioner : M/s.Poornachandran S, Advocate.
For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor
For Victim : Mr.L.Jeen Felix, Advocate.

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

PRAYER :-For Bail in Crime No.18/2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/ sole accused, who was arrested and remanded judicial custody on 15.08.2022 for the offences punishable under Sections 366(A) of IPC and Section 5(1) and 6 of Protection of Children from Sexual Offences Act in Crime No.18 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner on false promise of marrying the victim girl had sexual intercourse with her and thereafter refused to marry her. Hence the case came to be registered.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is in judicial custody from 15.08.2022, hence he seeks



4. The learned counsel appearing for the intervenor would submit that there is threat to the victim.

5. The learned counsel appearing for the victim denied the submission made by the learned counsel for the intervenor.

6. The learned Additional Public Prosecutor would submit that the victim is minor. He would also submit that the investigation is almost completed and now the victim is under the custody of the parents.

7. Taking into consideration the facts and circumstances of the case and also considering the fact that the investigation is almost completed and the victim is now under the custody of the parents and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Fast Track Mahila Court, Dindigul

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the Karur Town Police Station on every Monday at at 10.30 a.m., for a period of four months and thereafter as and when required for interrogation by the respondent police.

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/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 Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-

07/10/2022

/ TRUE COPY /

07/10/2022

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



TO

1 THE FAST TRACK MAHILA JUDGE,
DINDIGUL.

2 THE OFFICER INCHARGE,
SUB JAIL, DINDIGUL.

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, OTTANCHATRAM,
DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR.

+1 CC to M/s.L.JEEN FELIX, Advocate (SR-11085[I] dated 07/10/2022)

+1 CC to M/s.S.POORNACHANDRAN, Advocate (SR-11046[I] dated
07/10/2022)

ORDER

IN

CRL OP(MD) No.17984 of 2022

Date :07/10/2022

AAV

MK/SBN/SAR.I/07.10.2022/3P/8C