



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 12/01/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN
Crl.OP(MD)No.20517 of 2021

WEB COPY

Veeramani

: Petitioner/Sole Accused

Vs.

State rep.By
The Inspector of Police,
Pudukkottai AWPS,
Pudukkottai District.
(Crime No.25 of 2021)

: Respondent/Complainant

For Petitioner : Mr.M.Pichai Muthu, Advocate
For Respondent : Mr.SS.Madhavan
Government Advocate(Criminal side)

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

PRAYER :-

For Bail in Crime No.25 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused was arrested on 29/11/2021 and remanded to judicial custody on 30/11/2021 for the offences punishable under sections 366(A) IPC @ 5(1), 5(j)(ii), 6(1) of POCSO Amendment Act, in Crime No.25 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused person on the false promise of marrying the victim girl, had sexual intercourse with her.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

4.Originally the case was registered under 'girl missing' and during the course of investigation, it was found that only this petitioner, kidnapped the victim girl and later, committed sexual penetrative assault.

5.Now the learned counsel appearing for the petitioner would submit that it is purely love affairs and it is a case of elopement and the victim girl was also aged about 17 years at the time of the



alleged occurrence and the petitioner is in custody, ever since from the date of arrest namely 30/11/2021.

6.For the purpose of ascertaining the age of the victim girl, the entire CD file was called for and perused. Perusal of the CD file shows that the victim girl was born on 06/01/2004. The alleged date of occurrence is 12/11/2021. On the date of the occurrence, it is seen that the victim girl was 17 years 10 months. This is fact is not disputed by the prosecution.

7.Now coming back to the statement of the victim girl, she has stated that she was doing under graduation in Government Arts College, Karambakudi and she was also living with this petitioner for about three years. So this petitioner promised her and had sexual intercourse for several times. When the love affair was brought to the notice of the parents of the victim girl, they scolded the victim and on her invitation, the petitioner came on 12/11/2021 and she was taken to various places, as such Velankanni and Tiruppur etc. Later they went to Tiruppur, where the petitioner was working and taken a house for rent and started living there. On 19/11/2021, she experienced vomiting and was taken to the hospital and was diagnosed pregnant for two months. Later she came to know that the complaint has been lodged. On the basis of the complaint, both of them were secured.

8.Reading of the complaint and the statement of the victim shows that they were love with each other and got pregnant because of the sexual intercourse. It is seen that it is a case of love affair. Even though the victim girl was aged about 17 plus, at the time of occurrence, the petitioner is entitled for bail. But he has to undergo the trial process.

9.Accordingly, the petitioner **is ordered to be released on bail** on his executing 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 learned Sessions Judge, Mahila Court, Pudukkottai and on further condition that the petitioner shall report before the respondent police once in 145 days at 10.00 a.m. until further orders.

sd/-
12/01/2022

/ TRUE COPY /

12/01/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



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.

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- TO
- 1 THE SESSIONS JUDGE,
MAHILA COURT, PUDUKKOTTAI.
 - 2 THE OFFICER INCHARGE,
SUB-JAIL, PUDUKOTTAI.
 - 3 THE INSPECTOR OF POLICE
PUDDUKKOTTAI ALL WOMEN POLICE STATION,
PUDUKKOTTAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20517 of 2021
Date :12/01/2022

RS/JC/SAR.1(12.01.2022) 3P-5C