



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/12/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.21372 of 2022

WEB COPY

Suriyanarayanan @ Suriya

... Petitioner/Accused
(Rank Not Known)

Vs

The State Rep. By,
The Inspector of Police,
Kumbakonam East Police Station,
Thanjavur District.
(Crime No.847 of 2022).

... Respondent/Complainant

For Petitioner : M/s.Palanisamy T, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :- For Bail in crime No.847 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested on 30.10.2022 for the alleged offences under Sections 363 of IPC and Section 5(1)(6) of POCSO Act, in Crime No.847 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the father of the victim girl. The victim girl is aged about 17 years. The petitioner and the victim girl loved each other. When the same was came to the knowledge of the defacto complainant, on 30.10.2022, the petitioner took the victim girl to his friends house and stayed there for about a week. Hence, the complaint.

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. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that even as per the statement of the victim girl recorded under Section 164 Cr.P.C, it has been stated by her that she was in love with the petitioner for about 3 years. On that particular day, she went to college and thereafter, she went along with him to the various places and stayed for about a week.



5.The learned counsel for the petitioner would submit that after attaining majority, the petitioner is going to marry the victim girl. That was objected by the victim's parents. Now, she came out of the house and staying in the house of the petitioner's sister.

6.The above said fact was admitted by the learned Additional Public Prosecutor.

7.In view of the above said development, this Court is inclined to grant bail to the petitioner with stringent conditions.

8.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 Special Court for Exclusive Trial of Cases under POCSO Act, Thanjavur, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

02/12/2022

/ TRUE COPY /

/12/2022

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.

TO

1. THE SESSIONS JUDGE,
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE
TRIAL OF CASES UNDER POCSO ACT, THANJAVUR.
2. THE OFFICER-INCHARGE,
SUB JAIL, KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
KUMBAKONAM EAST POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.PALANISAMY, Advocate (SR-14211[I] dated 02/12/2022)

ORDER IN

CRL OP(MD) No.21372 of 2022

Date :02/12/2022