



CrI.OP.No.9717 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2023

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.9717 of 2023

Veeramurugan

... Petitioner

Vs.

State Rep by
Inspector of Police,
South AWPS Police Station,
Tirupur Dt.
Crime No.1 of 2023

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to release the petitioner on bail in crime No. 1 of 2023 pending investigation on the file of the respondent police.

For Petitioner : Mr.V.Illanchezian

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



WEB COPY



CrI.OP.No.9717 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.01.2023 for the offence punishable under Section 11(5) r/w 12 of The Protection of Children from Sexual Offences Act, 2012 in Crime No.1 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim is aged about 16 years and the petitioner is aged about 33 years. On 05.01.2023, the father of victim girl lodged a complaint stating that the petitioner had sexually harassed her. Hence, the present complaint was lodged against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner had sexually harassed the victim girl, who is aged about 16



Crl.OP.No.9717 of 2023

years. He would submit that no previous case pending against him.

Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen from the statement recorded under Sec.164 of Cr.P.C., it reveals that the petitioner asked the victim girl to send her nude photographs to him and in the meanwhile, he has sent the same to the family members of victim girl. Further, the petitioner was arrested and remanded to judicial custody on 05.01.2023. On perusal of records, it is also seen that a final report was filed and the trial court also taken the case on file in Spl. S.C.No.29 of 2023. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner.

6. 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 blood related sureties, each for a like sum to the satisfaction of the learned **Sessions Judge, Magalir Neethimandram (FTMC), Tirupur** and on further conditions that:



Crl.OP.No.9717 of 2023

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily morning at 10.30 a.m. and evening at 05.30 p.m. until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

04.05.2023

rpp



Crl.OP.No.9717 of 2023

WEB COPY

To

- 1.The Sessions Judge, Magalir Neethimandram (FTMC),
Tirupur.
- 2.Inspector of Police,
South AWPS Police Station,
Tirupur Dt.
- 3.Central Prison,
Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras,
Chennai



WEB COPY



Crl.OP.No.9717 of 2023

G.K.ILANTHIRAIYAN, J.

rpp

Crl.O.P.No. 9717 of 2023

04.05.2023