



WEB COPY



Crl.OP.No.10263 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2023

CORAM

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

Crl.O.P.No.10263 of 2023

Ramarajan

..Petitioner

Vs.

The State Represented by
The Inspector of Police,
All Women Police Station,
Villupuram District.
(Crime No.32 of 2023)

..Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.32 of 2023 on the file of
the respondent police.

For Petitioner	: Mr.A.Gowtham
For Respondent	: Mr.A.Damodaran
	Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.04.2023 for the offence punishable under Sections 447, 354(A) of IPC read with Section 7, 8 of POCSO Act in Crime No.32 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, petitioner had committed



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sexual assault on the victim girl by lifting her dress and touching her hip.

Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he is no way connected with the offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that, petitioner had committed sexual assault on the victim girl by lifting her dress and touching her hip. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten



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Thousand only), directly to the defacto complainant. On such production of acknowledgement for the same, 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, Special Court for Exclusively trial of Cases under POCSO Act, Villupuram and on further conditions that:

[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 at 10.30 a.m., and 05.00 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]**.



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05.05.2023

Sma

To

1. Sessions Judge,
Special Court for Exclusively trial of Cases under POCSO Act, Villupuram
2. The Inspector of Police,
All Women Police Station,
Villupuram District.
3. The Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

G.K.ILANTHIRAIYAN, J.



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