



CrI.O.P.No.28130 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.O.P.No.28130 of 2023

Vijay S/o. Sugumar

...Petitioner/Accused

Vs.

State represented by
The Station House Officer,
Kirumampakkam Police Station,
Puducherry.

(Crime No.115 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.115 of
2023 on the file of the respondent, on such terms and conditions.

For Petitioner : Mr.K.Sasindran

For Respondent : Mr.M.V.Ramachandra Murthy
Additional Public Prosecutor
Puducherry



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ORDER

The petitioner seeks bail in Crime No.115 of 2023, registered by the respondent police for the offences punishable under Section 6 of POCSO Act, 2012. The petitioner had been remanded to custody on 18.10.2023.

2.It is stated that investigation had been completed and final report had also been filed on 05.12.2023.

3.The Court had perused the statement recorded under Section 164(5) Cr.P.C., of the victim.

4.In view of the fact that final report had been filed and the allegations will have to be established during the course of trial, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Fast Track Court Exclusively to deal with Offences under POCSO Act, Puducherry, 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



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.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.

15.12.2023

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C.V.KARTHIKEYAN. J.

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To



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1. The Fast Track Court Exclusively to deal with Offences under POCSO Act, Puducherry.

2. The Central Prison, Kalapet, Puducherry.

3. The Station House Officer,
Kirumampakkam Police Station,
Puducherry.

4. The Public Prosecutor,
High Court of Madras.

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