



CRL OP(MD). No.14627 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14627 of 2023

Selvam

... Petitioner/Sole Accused

Vs.

The State rep.by,
The Inspector of Police,
All Women Police Station,
Andipatti,
Theni District.
(Crime No.21 of 2023).

... Respondent/Complainant

For Petitioner : Mr.P.Sengutturasan, Advocate

For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.21 of 2023 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 08.07.2023 for the offence punishable under Sections 3, 4 of POCSO Act and 376(3) of IPC, in Crime No.21 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that because of love affair between the defacto complainant and this petitioner, the petitioner went to the house of the victim to meet her, at that time, the victim's mother saw the petitioner and lodged the complaint stating that he is having illegal contact with the minor girl at her house and the same was seen by the parents of the minor girl.

3. The learned counsel for the petitioner would submit that it is the love affair between the petitioner and the victim girl, but that was not liked by the parents of the victim, over which, the present complaint has been given. Now he is ready to marry the victim girl, after she attain majority.



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4. The learned Additional Public Prosecutor would submit that the victim is aged about 15 years at that time of occurrence. The statement was recorded during the course of investigation, wherein it has been stated that the victim has loved the petitioner for some time, when that was came to know to her parents, that was objected by them, so that the complaint has been given. Both the victim and petitioner were subjected to medical examination, in which, it was found that victim's hymen was not intact. Further, most part of investigation is over.

5. Considering the facts and circumstances of this case and also considering the period of incarceration undergone by the petitioner and most part of investigation is completed, this Court is inclined to grant bail to the petitioner with stringent conditions.

6. 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 learned Fast Track Mahila Court, Theni, and on further condition that the



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petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
10/08/2023

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10/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

indu

TO

1. THE JUDGE,
FAST TRACT MAHILA COURT,
THENI.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ANDIPATTI,
THENI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON,
THENI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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+1 CC to M/s.P.SENGUTTUARASAN, Advocate (SR-12083[I] dated 10/08/2023)

ORDER

IN

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Date :10/08/2023

RK/ (09/08/2023) 5P /6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023



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