



CRL OP(MD)No.19283 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL

CRL OP(MD)No.19283 of 2023

V.Manikandan

... Petitioner/Sole Accused

Vs

The Sub Inspector of Police,
Chatrapatti Police Station,
Madurai District.
(Crime No.66 of 2023)

... Respondent/Complainant

For Petitioner : Mr.R.Maheswaran, Advocate
for Mr.S.Vijayakumar, Advocate

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.66 of 2023 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioner/sole accused, who was arrested and remanded to judicial custody on 21.05.2023 for the alleged offence under Section 7, 8, 9(m) and 10 of POCSO Act, 2012 in Crime No.66 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 20.05.2023, at about 03.00 pm., when the defacto complainant's daughter aged about 7 years and her relative's daughter aged about 6 years were playing in the street, the petitioner herein sexually misbehaved with them. Hence, the case.

3.The learned counsel for the petitioner submitted that petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in custody from 21.05.2023 and hence, he seeks bail.

4.The learned Additional Public Prosecutor submitted that now the investigation is completed and charge sheet filed and the same has been taken on file in Spl.S.C.No.155 of 2023 before the concerned Special Court. Now the case is posted

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for framing of charges. The learned Additional Public Prosecutor has placed statements of the victims recorded under Section 164 Cr.P.C., and medical records. Further, the learned Additional Public Prosecutor has fairly submitted that the petitioner has no previous case.

5. Heard on both sides. This Court has perused the records.

6. Considering the fact that the petitioner has not involved in any previous case, that investigation completed and case is posted for framing of charges; and also considering the nature of offence allegedly committed by the petitioner, this Court is inclined to grant bail to the petitioner with conditions.

7. Accordingly, this Criminal Original Petition is allowed subject to the following conditions:-

i) the petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Court, Special Court for Exclusive Trial of POCSO Act Cases, Madurai.



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ii)the petitioner shall stay at Dindigul and report before the Chief Judicial Magistrate Court, Dindigul daily at 10.30 am., until further orders.

iii)the petitioner should not enter into T.Kodimangalam village, Madurai District until further orders.

iv)the petitioner shall not cause threat to the defacto complainant and witnesses.

v)on breach of any of the aforementioned conditions, the learned Special Judge under POCSO Act is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

sd/-
26/10/2023

/ TRUE COPY /

27/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gns



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WITTO COPY

- 1.THE JUDGE, SESSIONS COURT,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF POCSO ACT CASES, MADURAI.
- 2.THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.
- 3.THE SUB INSPECTOR OF POLICE,
CHATRAPATTI POLICE STATION,
MADURAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO

THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL

+1 CC to M/s.S.VIJAYAKUMAR, Advocate (SR-15625[I] dated 27/10/2023)

ORDER
IN

CRL OP(MD) No.19283 of 2023

Date :26/10/2023

RK (27/10/2023) 5P / 7C

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