



CRL OP(MD). No.21369 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/11/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.21369 of 2023

Thangapandi

... Petitioner/Petitioner/Petitioner/
Petitioner/ Sole Accused

Vs

State represented by
The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
Crime No.60 of 2023.

... Respondent/Respondent/Respondent/
Respondent/Complainant

For Petitioner : M/s.Pitchai Muthu, Advocate

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor (Crl.side)

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

PRAYER :-

For Bail in Crime No.60 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Sole Accused herein, who was arrested and remanded to



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custody on 13.04.2023 for the alleged offences under Sections 5(1) r/w Section 6 of POCSO Act, 2012, in Crime No.60 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner herein on the pretext of marriage, had committed penetrative sexual assault on the minor victim girl on several occasions. Hence the complaint.

3. Learned Additional Public Prosecutor submitted that it is a case of elopement. The earlier petition was dismissed on the ground that the witnesses were not examined.

4. It is seen that the earlier petition was dismissed with a liberty to revive the application after examination of material witnesses are over. On that account, the present petition came to be filed. Learned counsel for the Additional Public Prosecutor has also confirmed that P.W.1 is the victim, who is examined in chief and also cross examined. On that basis, the present bail application came to be filed.

5. In view of the compliance of the condition passed by this Court, this Court is inclined to grant relief to the petitioner.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on 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 Fast Track Mahila Court, Sivagangai, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-
28/11/2023

/ TRUE COPY /

28/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

- 1 THE JUDGE, FAST TRACK MAHILA JUDGE, SIVAGANGAI.
- 2 THE INSPECTOR OF POLICE
SINGAMPUNARI POLICE STATION, SIVAGANGAI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
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Date :28/11/2023

SS/SAR- /28/11/2023/4P/5C

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