



Crl.O.P.No.319 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM

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

**Crl.O.P.No.319 of 2024**

Vishal  
S/o.Sanjai Gandhi

...Petitioner/Accused

Vs.

State represented by  
The Inspector of Police,  
Thiruverkadu Police Station,  
Chennai.  
(Crime No.647 of 2023)

...Respondent / Complainant

**PRAYER:**

Criminal Original Petition is filed under Section 439 of Cr.P.C.  
praying to enlarge the petitioner on bail in Crime No.647 of 2023 on the  
file of the respondent police.

For Petitioner : Mr. M.Rajavelu

For Respondent : Mr. L. Baskaran  
Govt. Advocate (Crl. Side)



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### **ORDER**

The petitioner, who was arrested and remanded to judicial custody on 24.11.2023 for the offence of Girl Missing and subsequently altered to Section 366 IPC and Section 5(1) r/w Section 6(i) of POCSO Act, 2012 in Crime No.647 of 2023, seeks bail.

2.It is stated that the petitioner had eloped with the victim girl and had committed the alleged offences. The statement under Section 164(5) of Cr.P.C., of the victim child had been recorded. A copy of the same had been forwarded for perusal of this Court. It is stated that investigation has been completed.

3.Taking all these factors into consideration and the statement made by the victim child, when her statement was recorded under Section 164(5) of Cr.P.C., and also the fact that investigation has been completed, this Court is inclined to grant bail to the petitioner subject to the following condition.

4.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



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of the learned District Mahila Judge (Fast Track Court) Thiruvallur, 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 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.

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**C.V.KARTHIKEYAN,J.**

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To

- 1.The District Mahila Judge (Fast Track Court), Thiruvallur.
2. The Cental Prison, Puzhal.
3. The Inspector of Police,  
Thiruverkadu Police Station,  
Chennai.
- 4.The Public Prosecutor,  
High Court of Madras.

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