



Crl.O.P.No.2223 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

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

Crl.O.P.No.2223 of 2024

P.Palanivel

...Petitioner

Vs.

State represented by
The Inspector of Police,
All Women Police Station,
Tiruvannamalai District.
(Crime No.15 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.15 of 2023 on the file of the respondent police.

For Petitioner : Mr.A.Saravanan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 27.09.2023 registered by the respondent police for the offences



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punishable under Sections 294(b), 354(A)(1)(ii), 506(i) of IPC r/w Sections 7, 8, 5(m), 6(l) of POCSO Act, 2012, in Crime No.15 of 2023, seeks bail.

2.The petitioner is arrayed as A1. The petitioner is aged 63 years and the victim child is aged 12 years. It is stated that the petitioner had sexually abused the victim child.

3.The investigation has been completed and final report had also been filed by way of e-filing on 08.02.2024.

4.The learned Sessions Judge, Special Court for exclusive trial of cases under POCSO Act, Tiruvannamalai, may examine that particular fact and endeavour to take cognizance of the same and proceed further with the trial.

5.Taking all the factors into consideration and the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the



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Special Court for Exclusive trial of cases under POCSO Act,

Tiruvannamalai 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.

15.02.2024

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C.V.KARTHIKEYAN. J.

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To

1. The Special Court for Exclusive trial of cases under POCSO Act,
Tiruvannamalai.
2. The Central Prison, Vellore.
3. The Inspector of Police,
All Women Police Station,
Tiruvannamalai District.
4. The Public Prosecutor, High Court of Madras.

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