



Crl.O.P.No.3015 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2024

CORAM

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

Crl.O.P.No.3015 of 2024

Dinesh

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Koothanallur Police Station,
Thiruvarur – 614 101.
(Crime No.33 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.33 of 2023 on the
file of the respondent police.

For Petitioner : Mr.S.Nirmal Aditya

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 19.12.2023, seeks bail in Crime No.33 of 2023, which was registered by the respondent Police for the offences under Sections 6, 5(j)(ii), 5(1) of Protection of Children from Sexual Offences Act.

2. Let me not enter into a detail discussion on the fact of the case. This Court had the benefit of reading the statements recorded under Section 164(5) of Cr.P.C., of the victim child.

3. Taking all the factors into consideration and the period of incarceration suffered by the petitioner and the nature of statements made by the victim child, this Court is inclined to grant bail to the petitioner and subject to the following conditions:

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 of the Additional Mahila Court, Thiruvavur, and on further conditions



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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.

12.02.2024

smv

C.V.KARTHIKEYAN. J.

smv



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To

1. The Additional Mahila Court, Thiruvvarur.
2. The Sub Jail, Nagapattinam.
3. The Inspector of Police,
Koothanallur Police Station,
Thiruvvarur – 614 101.
4. The Public Prosecutor,
High Court of Madras.

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