



Crl.O.P.No.6275 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2024

CORAM

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

Crl.O.P.No.6275 of 2024

Silambarasan

...Petitioner

Vs.

State represented by
The Inspector of Police,
Kunnam Police Station,
Perambalur.
(Crime No.28 of 2024).

...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.28 of 2024 on the file of the respondent police.

For Petitioner : Mr.R.C.Paul Kanagaraj
For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



CrI.O.P.No.6275 of 2024

WEB COPY

ORDER

The petitioner / accused who was arrested and remanded to judicial custody on 21.01.2024 for the offences punishable under Sections 5(1), 6 and 8 of POCSO Act in Crime No.28 of 2024 on the file of the respondent, seeks bail.

2.It is stated that the petitioner held out a promise that he will marry the victim girl and had then sexually assaulted her. This Court perused the statement recorded under Section 164 of Cr.P.C., of the victim girl.

3.Earlier petition seeking bail was dismissed on 27.02.2024 in CrI.O.P.No.3438 of 2024. At that stage, it had been stated that investigation has not been completed. Now, it is stated that, investigation has already been completed and draft charge sheet is pending for approval.

4.In view of that particular fact, I am inclined to grant bail to the petitioner subject to the following conditions:

5.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



Crl.O.P.No.6275 of 2024

Thousand only) with two sureties, each for a like sum to the satisfaction of the District Mahila Court, Perambalur, 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 daily 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.

05.04.2024

smv



WEB COPY



Crl.O.P.No.6275 of 2024

C.V.KARTHIKEYAN. J.

smv

To

1. The District Mahila Court, Perambalur.
2. The Lalgudi Sub Jail, Trichy.
3. The Inspector of Police,
Kunnam Police Station,
Perambalur.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.6275 of 2024

05.04.2024