



Crl.O.P.No.6322 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

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

Crl.O.P.No.6322 of 2024

Asaimani

...Petitioner

Vs.

State represented by
Station House Officer,
All Women Police Station,
Thirukoilur.
(Crime no. 38 of 2015)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Spl.S.C.No.5 of 2024 on the file of the learned Principal District and Sessions Judge at Kallakurichi.

For Petitioner : Mr.V.R. Appaswamee

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)



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ORDER

The Petitioner seeks bail in Spl.S.C.No.5 of 2024 now pending trial before the Principal District and Sessions Judge at Kallakurichi.

2.Originally, Crime No.38 of 2015 had been registered by the respondent Police for the offences under Section 4 of POCSO Act .

3.The petitioner had been remanded to judicial custody on 01.12.2020 on execution of Nonailable Warrant.

4.The learned counsel for the petitioner stated that the owing to bifurcation of Villupuram District there was a change in jurisdictional Police Station. Hence the petitioner was unable to appear before the Court.

5.Taking all the factors into consideration and also of the fact that the bail had earlier been granted to the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:



6. Accordingly, the petitioner is ordered to be released on bail on 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 learned **Principal District and Session Judge at Kallakurichi**, 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 learned **Principal District and Session Judge at Kallakurichi**, on every Monday at 10.30 a.m., apart from the Court hearing dates, till completion of the trial.

[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



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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.

26.03.2024

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To

1. The **Principal District and Session Judge at Kallakurichi**,
2. The District Prison, villupuram
3. Station House Officer,
All Women Police Station,
Thirukoilur.
(Crime no. 38 of 2015)
- 4.The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.



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