



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.8641 of 2024

N.Naveen Kumar

... Petitioner

Vs.

State Rep by.
The Inspector of Police
All Women Police Station,
Gingee, Villupuram District.
Crime No. 2 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in crime No. 2 of 2024 on the file of
the respondent police.

For Petitioner : Mr.C.Iyyapparaj
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



WEB COPY



ORDER

The petitioner, who was arrested and remanded to judicial custody on **31.01.2024** for the alleged offences punishable under Sections Section 294 (b). 323, 506(i), 366 IPC r/w Section 67(B)(a) of IT Act and 5(l), 6, 12 of POCSO Act, **in crime No. 2 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the the petitioner kidnapped the victim and committed sexual intercourse with her against her willingness of the victim. The other accused of the case went to the victim's house and scolded the victim and her sister with filthy language and threatened her. Due to which, victim consumed poison and took treatment discharged from the hospital. Thereafter, the accused threatened the victim that he will share the photos which they took together. Hence, the case.

3. Heard both sides.

4. Considering the facts of the case, the statement under Section



164 Cr.P.C has been recorded in which she stated that she had affair with him and the investigation is at final stage. Hence, this Court is inclined to grant bail to the petitioner with the following conditions:

5. 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)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Sessions Judge, Special Court of the exclusive trial of cases, under POCSO Act, Villuppuram**, 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 on every Saturday at 10.30 a.m until further orders and shall not have any communication



with the victim girl.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

08.04.2024

pbl



WEB COPY



T.V.THAMILSELVI,J.

pbl

To

1. The Sessions Judge, Special Court of the exclusive trial of cases, under POCSO Act, Villuppuram.

2. The Inspector of Police
All Women Police Station,
Gingee, Villuppuram District.

3. The Vedampattu Sub Jail, Villuppuram District

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.8641 of 2024

08.04.2024