



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2024

CORAM

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

CrI.O.P.No.8847 of 2024

Sasikumar

... Petitioner

Vs.

State Rep by.
The Inspector of Police
AWPS Ammapet Police Station,
Salem District.
Crime No. 05 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with crime No. 5 of
2024 pending investigation on the file of the respondent police.

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



WEB COPY

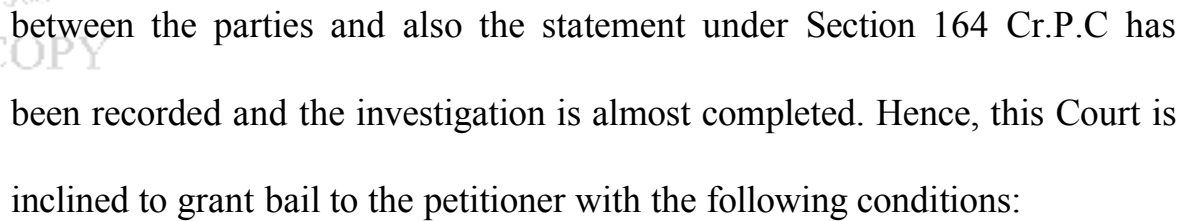
ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.02.2024 for the alleged offences punishable under Sections Section 294(b), 406, 498 (A), 506(1) IPC and Section 9 (m), 9 (n), 10, 11(1), 12 of POCSO Act, 2012 in crime No. 05 of 2024 on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner was misbehaved with his daughters and also assaulted them. Further, the petitioner demanded Rs.10/- lakhs from the defacto complainant and also withdraw Rs.60 lakhs from her bank account. Hence, the case.

3. The learned counsel for the petitioner submits that due to family dispute the petitioner was falsely implicated in this case. Further, the father of the defacto complainant is Inspector of Police and he is root cause for the entire issue. Due to his influence, the defacto complainant lodged a another complaint against the petitioner in crime No. 1040 of 2023. Hence, he prays to allow this petition. On the side, the learned Government Advocate (Crl. side) submits that statement under Section 164 Cr.P.C has been recorded.

4. Considering the facts of the case, there was family dispute



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, Principal POCSO Court, Salem** 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 for a period of four months and thereafter as and when required for interrogation and shall not have any communication with the victim girl;



WEB COPY



[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.

10.04.2024

pbl



WEB COPY



T.V.THAMILSELVI,J.

pbl

To

1. The **Sessions Judge, Principal POCSO Court, Salem.**

2. The Inspector of Police
AWPS Ammapet Police Station,
Salem District.

3. The Central Jail, Salem

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.8847 of 2024

10.04.2024