



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.8848 of 2024

Vignesh

... Petitioner

Vs.

State Rep by.
The Inspector of Police
Thiruthuraipoondi All Women Police Station,
Thiruvarur District.
Crime No. 02 of 2024

... Respondent

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

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.01.2024 for the alleged offences punishable under Sections Section 366(A) IPC r/w Section 5(l), 5(j)(ii) r/w Section 6 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 defacto complainant lodged a complaint before the respondent police stated that her daughter was missing and later it came to know that the petitioner kidnapped her daughter and had sexual intercourse with her. Hence, the case

3. Heard both sides.

4. Considering the facts of the case, victim statement under Section 164 Cr.P.C has been recorded, wherein she stated that both of them love each other and with her consent the petitioner had sexual intercourse with her. 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 Additional Mahila Court, Thiruvarur**, 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;

[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,



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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

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T.V.THAMILSELVI,J.

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To

1. The **Additional Mahila Court, Thiruvarur,**
2. The Inspector of Police
Thiruthuraipoondi All Women Police Station,
Thiruvarur District.
3. The District Prison, Thiruvarur.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.8848 of 2024

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