



Crl.O.P.No.10926 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2024

CORAM

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

Crl.O.P.No.10926 of 2024

Abdul Munab

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
A.W.P.S Ranipet.
(Crime No.7 of 2023).
...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.87 of 2023 on the file of the Special Court For Exclusive Trial of Cases Under POCSO Act, 2012, Vellore.

For Petitioner : Mr.P.Balamurugan

For Respondent : Mr.V.J.Priyadarsana

Govt. Advocate (Crl. Side)



CrI.O.P.No.10926 of 2024

WEB COPY

ORDER

The petitioner / accused seeks bail in Spl. S.C.No.87 of 2023 now pending trial before the Special Judge For Exclusive Trial of Cases Under POCSO Act, 2012, Vellore.

2.Originally, the petitioner was arrested and remanded to judicial custody on 12.02.2024 for the offences punishable under Sections 363, 506(i) of IPC r/w. Sections 7 & 8 of POCSO Act, 2012 and Section 67 of IT (Amendment) Act, 2008 in Crime No.7 of 2023 on the file of the respondent.

3.This is the second bail petition. The earlier petition seeking bail was dismissed on 15.03.2024 in CrI.O.P.No.6265 of 2024.

4.The petitioner had actually been granted bail, but he had subsequently committed yet another offence of similar nature against the same victim child. Thereafter, he had absconding from judicial process and NBW was issued. Now, he had been secured on execution of NBW.



Crl.O.P.No.10926 of 2024

WEB COPY

5.The learned Government Advocate (Crl. Side) submitted that chief and cross-examination of LW-1 to LW-7, LW-10 and LW-14 had been completed. LW-12 had also been examined in chief.

6.Taking the progress of trial into consideration, this Court is inclined to grant bail to the petitioner with certain conditions.

7.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 Thousand only) with two sureties, out of which, one surety must be a blood surety, each for a like sum to the satisfaction of the learned the Special Judge For Exclusive Trial of Cases Under POCSO Act, 2012, Vellore, Vellore District, 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 appear before the Special Court For Exclusive Trial of Cases Under POCSO Act, 2012, Vellore everyday at 10.30 a.m., and 5.30 p.m., till completion of trial, quite apart from the Court hearing dates.



CrI.O.P.No.10926 of 2024

[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.

13.06.2024

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CrI.O.P.No.10926 of 2024

WEB COPY

To

1. The Special Judge For Exclusive Trial of Cases Under POCSO Act,
2012, Vellore
2. The Central Prison, Vellore.
3. The The Inspector of Police,
A.W.P.S Ranipet.
4. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.10926 of 2024

C.V.KARTHIKEYAN. J.

smv

CrI.O.P.No.10926 of 2024

13.06.2024