



Crl.O.P.No.10825 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

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

Crl.O.P.No.10825 of 2024

Manivannan

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
AWPS – Ashok Nagar Police Station,
Chennai District.
(Crime No.4 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 Crime No.4 of 2023 on the file
of the respondent police.

For Petitioner : Mr.M.Baskaran

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.10.2024 for the offence punishable under Section 4 of POCSO Act in Crime No.4 of 2023 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner stated that the petitioner and the defacto complainant are neighbours and there was an existing dispute between the two of them and consequent to which, a false complaint had been given that the victim child / daughter of the defacto complainant had been sexually assaulted by the petitioner.

3.Earlier petition seeking bail was dismissed on 22.01.2024 in Crl.O.P.No.785 of 2024. The change in circumstance is that investigation has been completed and charge sheet has been filed.

4.Taking that factor into consideration and also considering the period of incarceration suffered by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

5.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, each for a like sum to the satisfaction



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of the learned Sessions Judge, Special Court For Exclusive Trial of Cases

under POCSO Act, Chennai - 104, 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 daily at 10.30 a.m., until further orders.

[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.

30.04.2024

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To

1. The Sessions Judge, Special Court For Exclusive Trial of Cases under POCSO Act, Chennai – 104.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
AWPS – Ashok Nagar Police Station,
Chennai District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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