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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

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

Crl.O.P.No.11537 of 2024

S.Cinnadurai

... Petitioner

Vs.

State Rep by.

The Inspector of Police

W-13 AWPS, Tondaiarpur Police Station, Tondaiarpur,

Chennai. Crime No. 8 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail in crime No. 8 of 2024 on
the file of the Inspector of Police, W-13 All Women's Police Station,
Tondaiarpur, Chennai.

For Petitioner : Mr.B.Sanjay Balachandar

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 22.03.2024 for the alleged offences punishable under Sections 6, 10 r/w Section 18 of POCSO Act, **in crime No. 8 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner sexually abused the victim boy. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and also the relation between the petitioner and the victim is grandfather and grandson in order to wreak vengeance the defacto complainant lodged the false complaint. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl Side) submits that the statement of the victim has been recorded.

5. Considering the period of incarceration undergone by the petitioner and also the statement of the victim is recorded. Hence, this Court is inclined to grant bail to the petitioner with the following conditions:



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6. 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** The Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Chennai., 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 Tuesday and Saturday at 10.30 a.m., for a period of three months.

[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.

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T.V.THAMILSELVI,J.

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To

1. The Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Chennai.
2. The Inspector of Police
W-13 AWPS, Tondaiarpur Police Station, Tondaiarpur,
Chennai.
3. The Central Prison- II, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

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