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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

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

Crl.O.P.No.14361 of 2024

S.Vengadesh

... Petitioner

Vs.

State Rep by.
The Inspector of Police
W-28 All women Police Station,
Ambattur, Thiruvallur District.
Crime No. 1 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending in crime No. 1 of 2024 on
the file of the respondent police.

For Petitioner : Mr.J.Srinivas
For Respondent : Mr.V.Meganathan,
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.05.2024 for the alleged offences punishable under Sections Section 5 (1), 5 (j)(ii) and 6 (1) of Protection of Children from Sexual Offences Act 2012 **in crime No. 1 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner had sexual intercourse with the minor girl and she got pregnant. Hence, the case.

3. The learned counsel for the petitioner submits that victim had love affair with the petitioner for more than years, at the instigation of her parents victim girl gave a false complaint. Hence, he prays to allow this petition. On the other side, the learned Government Advocate Crl. side submits that the statement of the victim girl has been recorded.

4. Heard both sides.

5. Taken into consideration of the period of incarceration undergone by the petitioner and also the statement of victim girl has been recorded wherein she stated that she had lover affair with the petitioner.



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Further, the medical test has been conducted and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

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 District Mahila Judge (Fast Track Court) Tiruvallur**, 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. until further orders 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, 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 **District Mahila Judge (Fast Track Court) Tiruvallur.**
2. The Inspector of Police
W-28 All women Police Station,
Ambattur, Thiruvallur District.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

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