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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2024

CORAM

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

Crl.O.P.No.18026 of 2024

Anandan @ Deena

... Petitioner

Vs.

State Rep by.

The Inspector of Police

Kangayam All Women Police Station,

Tiruppur.

Crime No. 12 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in crime No.
12 of 2024 on the file of he Inspector of Police, Kangayam All Women Police
Station, Tiruppur.

For Petitioner : Mr.P.Thinesh

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 20.05.2024 for the alleged offences punishable under Sections **5(i),5 (j)(ii) and 6 of POCSO Act in crime No. 12 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner had committed penetrative sexual assault against the victim girl thereby she got pregnant. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner and the victim girl lover each other but the victim girl's parents not accepted their love. Further, the petitioner is ready to marry the victim girl. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits that the statement of the victim girl has been recorded. However, he raised objection to grant bail.

5. Considering the facts of the case, the statement of the victim girl



has been recorded under Section 164 Cr.P.C, wherein, she stated that the petitioner had intimacy with her in drunken mode. Considering the above, 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 Fast Track Mahila Court, Tiruppur,** 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 alternative days at 10.30 a.m., until further order. Further, the petitioner shall deposit a sum of **Rs. 30,000/-** to the credit of the crime No. 12 of 2024 and the victim girl is permitted to **withdraw the same.**



[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 **Fast Track Mahila Court, Tiruppur.**

2. The Inspector of Police
Kangeyam All Women Police Station,
Tiruppur.

3. The Central Prison, Tiruppur.

4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.18026 of 2024

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