



CRL OP(MD).No.5126 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5126 of 2024

Paramsivan @ Suriya

... Petitioner/Sole Accused

Versus

The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.
(Crime No.2 of 2024)

...Respondent/ Complainant

For Petitioner : Mr.V.Angusamy, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.2 of 2024 on the file of the Respondent Police.



CRL OP(MD).No.5126 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner/sole accused, who was arrested and remanded to judicial custody on 24.02.2024 for the offence punishable under Sections 341, 294(b), 506(i) IPC and Sections 11(1)(4) and 12 of Protection of Children from Sexual Offences Act, 2012, in Crime No.2 of 2024 on the file of the respondent police, seeks bail.

2. The petitioner and the defacto complainant are neighbours. The victim girl is aged about 15 years old. The allegation levelled against the petitioner is that whenever the defacto complainant went outside, the petitioner has followed her in his two-wheeler and teased her by making gestures with an intention to harass her sexually.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner is languishing in jail from 24.02.2024. Therefore, he prays for grant of bail. He further submits that after the registration of this case, the petitioner has vacated his house.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the victim girl is aged about 15 years old and the petitioner has purposely harassed the victim girl sexually.

5. Considering the facts and circumstances of the case, the period of



CRL OP(MD).No.5126 of 2024

incarceration and also considering the submission made by the learned counsel for the petitioner that the petitioner has already vacated his house, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

iii) The petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter shall appear as and when required by the respondent police. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.



CRL OP(MD).No.5126 of 2024

WEB COPY

v. On violation of any of the above conditions by the petitioner,
the respondent police shall move an application for cancellation of the
bail.

sd/-
02/04/2024

/ TRUE COPY /

02/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

To

1.The Sessions Judge,
Special Court for POCSO Act Cases, Tirunelveli.

2.The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District.

3.The Superintendent,
Central Prison,
Palayamkottai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-4097[I] dated 02/04/2024)



WEB COPY



CRL OP(MD).No.5126 of 2024

ORDER

IN

CRL OP(MD) No.5126 of 2024

Date :02/04/2024

ED/ /SAR- (02/04/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023