



CRL OP(MD).No.5998 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.04.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.5998 of 2024

Kasipandian

... Petitioner/ Sole Accused

Versus

The Inspector of Police,
Chokkampatti Police Station,
Tenkasi District.
(Cr.No.65 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.J.Sivakumar, 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.65 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.65 of 2024 for the offence under Sections 5(1), 6 of Protection of Children from Sexual Offences Act 2012 and remanded him into judicial custody on 15.03.2024. Therefore, the petitioner has filed this petition seeking bail.

<https://www.mhc.tn.gov.in/judis>



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2. The case of the prosecution is that on 24.09.2023, the accused had taken the victim by his auto to Achan Kovil and sexually assaulted her and on 14.11.2023, he had physical relationship with her in a lodge at Courtallam and on 19.12.2023, again he committed the same offence in the same lodge. Thereafter, he deserted her. Hence the case.

3. The learned counsel for the petitioner submits that the age of the boy is 20 years and the age of the girl is 19 years and it is a love affair. The family members have also arranged for marriage between them.

4. The father of the petitioner is also present before this Court and he had filed an affidavit that the family members have arranged for marriage between them after attaining the age of majority.

5. The learned Additional Public Prosecutor appearing for the respondent submits that there is no previous case pending against the petitioner.

6. Considering the facts and circumstances of the case, the period of incarceration and also considering the antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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



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Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi District.

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 stay at Chokkampatti and appear before the Inspector of police, Chokkampatti Police Station, daily at 10.30 a.m. for a period of 15 days 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.

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/-
18/04/2024

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18/04/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr



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TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, CHOKKAMPATTI POLICE STATION,
TENKASI DISTRICT.

4 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC TO MR.J.SIVA KUMAR, ADVOCATE, SR-4659[I] Dated 22/04/2024

ORDER

IN

CRL OP(MD) No.5998 of 2024

Date :18/04/2024

RS//SAR-(18.04.2024) 4P 7C

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