



CRL OP(MD). No.6146 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6146 of 2024

Thiruppathi,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Peraiyur Police Station,
Ramanathapuram District.
Crime No. 61/2023.

... Respondent/Complainant

For Petitioner : M/s.Suresh.P,
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. 61 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is an accused in Spl.S.C.No.71 of 2023 on the file of the



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Fast Track Mahila Court (Mahaleer Neethimandram), Ramanathapuram, has approached this Court seeking bail. The said case was registered for the alleged offence under Sections 3, 4, 5(f), 5(m) and 6 of POCSO Act @ 5(l), 5(m), 5(o), 6, 9(m) and 10 of POCSO Act, in Crime No.61 of 2023 on the file of the respondent police.

2.The case of the prosecution is that the petitioner, who was working as a conductor in a private bus, has misbehaved with the two school children, who travelled in the bus.

3.The learned counsel for the petitioner submits that the petitioner has never committed any offence as alleged by the prosecution and he is languishing in jail for more than 250 days. He further submits that the petitioner will not abscond and he will furnish a substantial surety.

4.The learned Additional Public Prosecutor appearing for the respondent has strongly objected for grant of bail that investigation in this case has been completed and the charge sheet has already been filed and the trial has also commenced and L.W.1 to L.W.4 have been examined sofar.



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5.Considering the facts and circumstances of the case, the stage of trial and also considering the period of incarceration, 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 on the following conditions:-

i) The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum to the satisfaction of the learned Fast Track Mahila Court (Mahaleer Neethimandram), Ramanathapuram.

(ii) the persons who are giving sureties should be respectable persons in their locality, either Government Servants or elected people representatives or the persons who are having permanent business establishments and the sureties shall file an affidavit before the trial Court, by ensuring that the petitioner will not indulge in any other offence in future and he will be available for the entire trial;

(iii) 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;



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without fail;

(iv) The petitioner shall appear before the concerned Court on all hearing dates

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

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

sd/-
25/04/2024

/ TRUE COPY /

25/04/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDGE,
FAST TRACK MAHILA COURT(MAHALEER
NEETHIMANDRAM), RAMANATHAPURAM.

2 THE OFFICER INCHARGE,
SUB JAIL, RAMANATHAPURAM.



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3 THE INSPECTOR OF POLICE
PERAIYUR POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.P.SURESH, Advocate (SR-4892[I] dated 25/04/2024)

ORDER
IN
CRL OP(MD) No.6146 of 2024
Date :25/04/2024

SS/SAR- /25/04/2024/5P/6C

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