



CRL OP(MD).No.7365 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.7365 of 2024

Raja @ Kuttiraja

... Petitioner/ Accused

Versus

The State:

Rep. by the Inspector of Police,
All Women Police Station,
Alangudi,
Pudukkottai District.
(Crime No. 5/2024)

... Respondent/Complainant

For Petitioner : Mr.D.Rameshkumar, 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.5 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.5

of 2024 for the offence under Sections 9(1) and 10 of POCSO Amended Act 2019 and

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



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Section 506(i) IPC and remanded him into judicial custody on 26.04.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner, who was working as a Driver under the defacto complainant, has teased the daughter of the defacto complainant frequently and compelled her to love him. Therefore, she made an attempt to commit suicide.

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. However, he is languishing in jail from 26.04.2024. He further submits that the petitioner and the daughter of the defacto complainant loved each other and when the same came to the knowledge of the defacto complainant, she made an attempt to commit suicide. He further submits that there is no sexual assault or harassment from the petitioner. Therefore, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is yet to be completed.

He has also produced a copy of the statement of the victim girl recorded under

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



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Section 164 Cr.P.C.

5. Considering the nature of offence and the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

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, Mahila Court (FAC), Pudukottai.

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 Trichy and report before the Inspector of Police, Trichy Town Police Station, daily at 10.30 a.m. until further orders. 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.



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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/-
03/06/2024

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03/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

- 1 THE SESSIONS JUDGE,
MAHILA COURT,(FAC), PUDUKOTTAI.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGUDI,
PUDUKKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE
DISTRICT PRISON, PUDUKKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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THE INSPECTOR OF POLICE
TRICHY TOWN POLICE STATION,
TRICHY.

ORDER
IN
CRL OP(MD) No.7365 of 2024
Date :03/06/2024

PKP/03.06.2024/ 5P/6C

Madurai Bench of Madras High Court is issuing certified
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