



CRL OP(MD). No.7624 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 23.05.2024

PRESENT

THE HON`BLE MRS.JUSTICE S.SRIMATHY

CRL OP(MD). No.7624 of 2024

Prabu

... Petitioner/ Accused No.1

Vs

The Inspector of Police,  
All Women Police Station,  
Bodi, Theni District.  
(Crime No.05 of 2024).

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate  
For Respondent : Mr.M.Sakthi Kumar  
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 05 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial custody on 20.03.2024, for the offence under Sections 11 and 12 of the POCSO Act and Sections 294(b) and 506(i) of IPC in Crime No.05 of 2024 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that the petitioner is that the petitioner had a sexual gesture to the victim girl and also abused her mother in filthy language with an criminal intimidation. Hence, the complaint.

3.The learned counsel appearing 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 20.03.2024. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submits that the investigation is yet to be completed.

5. Considering the facts and circumstances of the case and also taking note of the period of incarceration, 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, each for a like sum to the satisfaction of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Theni and on further conditions that :-

- a) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.
- b) the petitioner shall stay at Thanjavur and report before the Inspector of



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Police, Town Police Station, Thanjavur, daily at 10.30 a.m, until further orders.

- 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 is 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-  
23/05/2024

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23/05/2024

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

sm  
To  
1 THE JUDGE,  
PRINCIPAL SPECIAL COURT FOR EXCLUSIVE  
TRIAL OF CASES UNDER POCSO ACT, THENI.

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



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2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, BODI,  
THENI DISTRICT.

3 THE OFFICER INCHARGE, DISTRICT PRISON, THENI DISTRICT.

4 THE INSPECTOR OF POLICE, TOWN POLICE STATION, THANJAVUR,  
THANJAVUR DISTRICT.

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

ORDER  
IN

CRL OP(MD) No.7624 of 2024  
Date :23/05/2024

RS//SAR-(23.05.2024) 4P 6C  
Madurai Bench of Madras High Court is issuing  
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