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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.7671 of 2024

Veyilmuthu

... Petitioner/ Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Andipatti,
Theni District.
(Crime No.6 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.M.Prabu.
Advocate.

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

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

PRAYER :-

To enlarge the petitioner on bail in respect of Spl.CC.No.174 of 2023 in Crime No.6 of 2023 on the file of the Special Court for POCSO Act cases, Theni, And thus render justice.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 04.04.2024 for the alleged offence

under Sections 376(3) and 506(ii) of IPC r/w Section 5(1), 5(j) (ii) and 6 of POCSO

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



Act, 2012 in Crime No.6 of 2023, on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the defacto complainant is the mother of the victim girl. Her younger daughter aged about 14 years is studying in 9th standard in Mayiladumparai Government School. The petitioner and the victim girl are having contact from the year 2022. On 01.10.2022, the petitioner intimated the victim girl to come over to Pulipodavu cave, where he committed penetrative sexual assault and the victim girl got pregnant. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is in judicial custody from 18.03.2023.

4.The learned Additional Public Prosecutor appearing for the respondent submits that the witnesses LW 1 to LW 4 have already been examined.

5. Considering the facts and circumstances of this case, considering the period of incarceration and also considering the fact that the witnesses LW 1 to LW 4 have been examined, this Court is inclined to grant bail to the petitioner with some conditions.

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.25,000/-

(Rupees Twenty Five Thousand) with two sureties each for a like sum

to the satisfaction of the learned Judge, Special Court for POCSO Act



Cases, Theni

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 report before the respondent police daily at 10.30 a.m until further orders. He has to co-operate for the trial and he has to appear for all the future hearings.

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. The petitioner 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/-
25/06/2024

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25/06/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN



TO

1.The Judge, Special Court for POCSO Act Cases, Theni.

2.The Officer incharge, District Jail, Thekkampatti, Theni District.

3.The Inspector of Police,
All Women Police Station,
Andipatti,
Theni District.

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

+1 CC to M/s.M.PRABU, Advocate (SR-5810[I] dated 24/05/2024)

ORDER
IN

CRL OP(MD) No.7671 of 2024

Date :25/06/2024

MK/25.06.2024 4P 6C

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