



CRL OP(MD). No.8137 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/06/2024

PRESENT

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8137 of 2024

Ragupathy

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai City,
Crime No.23/24.

... Respondent/Complainant

For Petitioner :Mr.A.R.Kannappan,
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.23/2024 on the file of the respondent police



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ORDER : The Court made the following order :-

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The petitioner, who was arrested on 06.04.2024 for the offences punishable under Sections 9(1), 9(m), 9(n) r/w 10 of POCSO Act 2012 in Crime No.23 of 2024 on the file of the respondent police, seeks bail.

2.The prosecution case is that the petitioner, who is the step father of the victim girl has touched her private part and threatened her not to disclose the same to anyone. Hence, the complaint.

3.Learned Counsel for the petitioner submits that the wife of the petitioner has borrowed loan from several persons without the knowledge of the petitioner, due to which, they got separated. His wife demanded the petitioner to settle the loan amount, which she borrowed and the same was refused by the petitioner. Therefore, a false complaint has been lodged as against the petitioner. The learned counsel further submits that the petitioner is inside the prison for the past 52 days and no final report has been filed even after lapse of 60 days. Therefore, he is entitled for statutory bail under Section 167(2) Cr.P.C.

4.Learned Additional Public Prosecutor appearing for the respondent

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police admits that the investigation in this case has not yet been completed and final report in this case is yet to be filed.

5. Though the allegation as against the petitioner appears to be serious in nature, it is reported by either side that the final report has not yet been filed even after the lapse of statutory period, the petitioner is entitled for statutory bail under Section 167(2) Cr.PC.

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 Exclusive Trial of Cases under POCSO Act, Madurai.

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;



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iii) The petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

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/-
11/06/2024

/ TRUE COPY /

12/06/2024
Sub-Assistant Registrar (Writ)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

1.The Judge,
Special Court for Exclusive Trial of Cases under POCSO Act,
Madurai.

2.The Superintendent, Central Prison, Madurai.



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3.The Inspector of Police,
All Women Police Station,
Tallakulam,
Madurai City,

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

+1 CC to M/s.A.R.KANNAPPAN, Advocate (SR-6352[I] dated 12/06/2024)

ORDER
IN
CRL OP(MD) No.8137 of 2024
Date :11/06/2024

RK (12/06/2024) 5P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023