



CRL OP(MD). No.8905 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.8905 of 2024

Saravanakumar @ Saravanan,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Kadayam Police Station,
Kadayam,Tenkasi District
Crime No.102/2024.

... Respondent/Complainant

For Petitioner : M/s.Vignesh.N,
Advocate.

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

PRAYER :-For Bail in Crime No.102/2024 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.102 of 2024 for the offence under Section 366 I.P.C and Sections 3 and 4 of the Protection of Child from Sexual Offences Act, 2012 and remanded him into judicial custody on 15.05.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner threatened the defacto

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complainant's daughter and forcibly taken her and had sexual inter course with her.

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Hence, the case.

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, the petitioner is in jail from 15.05.2024.

4.The learned Additional Public Prosecutor appearing for the respondent opposes for grant of bail on the ground that the investigation is pending. The age of the victim is 15 years old. The statement of the victim recorded under Section 164 Cr.P.C is also produced before this Court.

5. Considering the facts and circumstances of the case and the statement of the victim recorded under Section 164 Cr.P.C, wherein, she has stated that she went voluntarily with the petitioner 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 with certain conditions:

- 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, Special Court for POCSO Act Cases, Tirunelveli.



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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 appear before the respondent police 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.

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/-
24/06/2024

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24/06/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO
1 THE SESSIONS JUDGE,
SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI.

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2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
KADAYAM, TENKASI DISTRICT

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

+1 CC to M/s.N.VIGNESH, Advocate (SR-6841[I] dated 24/06/2024)

ORDER IN
CRL OP(MD) No.8905 of 2024
Date :24/06/2024

SA/SAR. /24.06.2024/4P/6C

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