



CRL OP(MD).No.9057 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.9057 of 2024

Rajendran

... Petitioner/ Accused No.1

Versus

State Rep. by
The Inspector of Police,
All Women Police Station,
Orathanadu, Thanjavur District.
(Cr.No.08 of 2024)

...Respondent/ Complainant

For Petitioner : Mr.R.Alagia Nambi, 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.08 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The respondent police registered a case as against this petitioner in Crime No.08 of 2024 for the offence under Sections 376(2)(i) of IPC and Sections 5(k), 5(1), 6 of POCSO Act, and remanded him into judicial custody on 01.04.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the petitioner had forcible sexual intercourse with the victim girl who is partly unsound of mind and when she informed the same to the accused A-2, she scolded the victim girl and supported the accused A-1. 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, he has been arrested and he is languishing in jail from 01.04.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent opposed for grant of bail on the ground that the accused had forcible sexual



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intercourse with the victim who is partly unsound of mind and he is in judicial custody from 01.04.2024.

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5. Considering the facts and circumstances of the case and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent 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 District and Sessions Judge cum Special Court for Exclusive Trial of cases under POCSO Act, Thanjavur, Thanjavur District.

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 Villupuram and appear before the Inspector of police, Villupuram Town Police Station, Villupuram, daily



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morning at 10.30 a.m. and evening at 04.30 p.m., until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to her 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/-
26/06/2024

/ TRUE COPY /

26/06/2024
Sub-Assistant Registrar (PA-I/ AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

- 1.THE DISTRICT AND SESSIONS JUDGE CUM SPECIAL COURT
FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT, THANJAVUR,
THANJAVUR DISTRICT.
- 2.THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ORATHANADU, THANJAVUR DISTRICT.



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

COPY TO

THE INSPECTOR OF POLICE, VILLUPURAM TOWN POLICE STATION,
VILLUPURAM,

+1 CC to M/s.R.ALAGIA NAMBI, Advocate (SR-6981[I] dated 26/06/2024)

ORDER

IN

CRL OP(MD) No.9057 of 2024

Date :26/06/2024

RK (26/06/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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