



CRL OP(MD).No.9725 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.9725 of 2024

Pandirajan

... Petitioner/Sole Accused

Versus

The Inspector of Police,
Aruppukkottai All Women Police Station,
Virudhunagar District.
(Crime No.20 of 2023)

... Respondent/Complainant

For Petitioner : Mr.C.Mayilvanan Rajendran, Advocate
for Mr.S.Maruthu Pandian, 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.20 of 2023 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.20 of 2023 for the offence under Sections 5(m), (n), (k), (1) r/w. 6 of POCSO Act and 506 (i) of IPC , and remanded him into judicial custody on 13.05.2023. Therefore, the



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petitioner has filed this petition seeking bail.

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2. The case of the prosecution is that the petitioner has sexually assaulted a 9 year old mentally retarded girl.

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. Further, he submitted that the petitioner is suffering with systemic lupus erythematosus and seizure disorder and he is under treatment in the Department of General Medicine convict ward. 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 trial is almost completed and the case is posted only for the purpose of examination of the Investigation Officer.

5. Considering the medical certificate issued by the Government Rajaji Hospital and the stage of the trial, 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

i) on the petitioner executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with two sureties each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Cases under POCSO Act, Virudhunagar District, Srivilliputhur.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or



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any other identity card issued by the Government in proof of their residence address;

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iii) The petitioner shall appear before the respondent police as and when required for interrogation. He has to co-operate for the investigation. The respondent police shall also ensure that the petitioner shall not leave the Government Hospital.

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. She 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/-

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

jbr

TO

1 THE SPECIAL JUDGE FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

2 THE INSPECTOR OF POLICE,
ARUPPUKOTTAI ALL WOMEN POLICE STATION, VIRUDHUNAGAR DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

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



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+1 CC to M/s.S.MARUTHUPANDIAN, Advocate (SR-7860[I] dated 12/07/2024)
ORDER
IN
CRL OP(MD) No.9725 of 2024
Date :12/07/2024

RS//SAR-(12.07.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
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