



CRL OP(MD). No.10254 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.10254 of 2024

Elangovan

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Pulithipatti Police Station,
Sivagangai District
(Crime No. 33 of 2024.)

... Respondent/Complainant

For Petitioner : M/s Gokul.K, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 33 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Section 7 r/w. Section 8 of POCSO Act, 2012 in Cr.No.33 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that A1 got married with minor Victim Girl aged about 15 years and committed sexual intercourse with her, for which, the petitioner herein / A3 helped them for marriage. Hence, the complaint.

3. The learned counsel for the petitioner would submit that would further submit that he is innocent and his name has been falsely implicated in this case and seeks grant of anticipatory bail.

4.The learned Additional Public Prosecutor would submit that A1 already arrested and released on bail. He would further submit that investigation in this case has already been completed and the charge sheet also filed before concerned Court.

5.Considering the facts and circumstances of the case and also considering the fact that investigation in this case has already been completed and that A1 has already been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Singampunari on condition that



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the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the concerned Court daily at 10.30 am until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/ Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
11/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

1.The Judicial Magistrate,
Singampunari.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Pulithipatti Police Station,
Sivagangai District.

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

+1 CC to M/s.K.GOKUL, Advocate (SR-7865[I] dated 12/07/2024)

ORDER
IN
CRL OP(MD) No.10254 of 2024
Date :11/07/2024



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ED/JGB /SAR- (19/07/2024) 5P / 6C

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