



CRL OP(MD). No.10582 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/07/2024

PRESENT

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

CRL OP(MD). No.10582 of 2024

Karuppaiah,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Thallakulam.
Madurai 24/2024.

... Respondent/Complainant

For Petitioner : Mr.K.Raghul Priyan,
Advocate.

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

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.24/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody



CRL OP(MD). No.10582 of 2024

on 30.04.2024 for the offences punishable under Sections 9(m), 10 of Protection of Child from Sexual Offences Act, 2012, in Crime No.24 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 29.04.2024, at about 04.00 p.m, the petitioner kidnapped the victim girl and physically abused her. When the same was questioned by the defacto complainant, he abused him in filthy language and attacked the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner is in judicial custody from 30.04.2024. Hence, he may be released on bail.

4.The learned Additional Public Prosecutor would submit that the investigation has been completed and charge sheet has also been filed before the concerned Court.

5.Considering the period of incarceration and also considering the facts that



CRL OP(MD). No.10582 of 2024

charge sheet has been filed before the concerned Court, this Court is inclined to grant bail to the petitioner on certain conditions.

WEB COPY

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 Principal Special Court For Exclusive Trial of Cases Under Pocso Act, Madurai.

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

(ii) the petitioner shall report before the trial Court daily at 10.30 a.m., until further orders;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.

v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial



CRL OP(MD). No.10582 of 2024

WEB COPY

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].

vi)If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
16/07/2024

/ TRUE COPY /

16/07/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

- 1 THE PRINCIPAL SPECIAL JUDGE FOR EXCLUSIVE TRIAL OF
CASES UNDER POCSO ACT,
MADURAI.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI..
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THALLAKULAM,
MADURAI



CRL OP(MD). No.10582 of 2024

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

ORDER
IN
CRL OP(MD) No.10582 of 2024
Date :16/07/2024

SS/SAR- /16/07/2024/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023