



CRL OP(MD). No.10899 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

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

CRL OP(MD). No.10899 of 2024

Muruganantham,

... Petitioner/ Accused

Vs

The Inspector of Police,
All Women Police Station,
Vilathikulam.

Crime No.8/2023.

... Respondent/ Complainant

For Petitioner : M/s.Senthil Sankaranatha Kumar,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- To enlarge the petitioner/ Accused on bail in Spl.S.C.No.29/2024 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi.

ORDER : The Court made the following order :-

This Petition is filed to enlarge the petitioner/ Accused on bail in

Spl.S.C.No.29/2024 on the file of the Special Court for Exclusive Trial of Cases under

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



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POCSO Act, Thoothukudi.
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2. The case of the prosecution is that the petitioner sexually assaulted the victim, who is aged about 5 years old. Hence a case in Crime No.8 of 2023 for the offences punishable under Sections 7, 8 and 11 (i) r/w. Section 12 of POCSO Act, 2012 and Section 506(i) I.P.C.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, she prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that earlier the petitioner was released on statutory bail and thereafter, charge sheet filed and hence, the sureties produced by the accused were refused by the trial Judge. Hence, he strongly opposed to grant bail to the petitioner.

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



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certain conditions.

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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 Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi;

(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., on every hearing dates without fail;

(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



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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].

sd/-
19/07/2024

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

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TO

1. THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
THOOTHUKUDI;



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2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VILATHIKULAM.

3.THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

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

+1 cc to MR.S.SENTHIL SANKARA NATHA KUMAR, Advocate SR NO.8207
DATED 22.07.2024

ORDER
IN
CRL OP(MD) No.10899 of 2024
Date :19/07/2024

RK (19/07/2024) 5P / 6C

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