



CRL OP(MD). No.11473 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/07/2024

PRESENT

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

CRL OP(MD). No.11473 of 2024

K.Karvendan @ Vasudevan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Dindigul Rural,
Dindigul District.
(Crime No.24 of 2024.)

... Respondent/Complainant

For Petitioner : M/s.R. Shankar Ganesh, Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime no.24 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.11473 of 2024

ORDER: The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 5(i), 5(j)(ii) r/w. 6 of POCSO Act, 2012 in crime No.24 of 2024 in Cr.No.24 of 2024 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to love affair, the petitioner herein had sexual intercourse with the victim girl, who is aged about 17 years and she became pregnant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that there was a love affair between the petitioner and the victim girl and they are neighbours and further, the petitioner is ready to marry her and seeks anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that the victim is only 17 years months and the investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned counsel appearing for the petitioner, 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 on his appearance, within a period of fifteen days from the date of receipt of a



CRL OP(MD). No.11473 of 2024

copy of this order, before the learned Special Court for Exclusive Trial of POCSO Act

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Cases, Dindigul on condition that 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 respondent Police once in a week i.e., on every Saturday 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;



CRL OP(MD). No.11473 of 2024

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

sd/-
25/07/2024

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/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

1.The Judge,
Special Court for Exclusive Trial of POCSO Act Cases,
Dindigul.

2.The Inspector of Police,
All Women Police Station - Dindigul Rural,
Dindigul District.

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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-8654[I] dated 26/07/2024)

ORDER
IN
CRL OP(MD) No.11473 of 2024
Date :25/07/2024



CRL OP(MD). No.11473 of 2024

ED/ GS /SAR- (09/08/2024) 5P / 5C

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