



CRL OP(MD). No.11775 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11775 of 2024

Vigneshwaran @ Dineshkumar,

... Petitioner/Sole Accused

Vs

**The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District.
Crime No.11 of 2024.**

... Respondent/Complainant

For Petitioner : M/s.Rajasekaran S, Advocate.

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

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :- For Bail in Crime No.11 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 07.07.2024 for the offences punishable under Section 448 I.P.C and Sections 4(2), 7 and 8 of Protection of Child from Sexual Offences Act, 2012, in crime No.11 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner went to the house of the

defacto complainant and tried to misbehave with her child, who is aged about 9

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years. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the facts and circumstances of the case and also considering the allegation that the petitioner being the relative of the victim child, during the night, stealthily entered inside the house and tried to molest the child and considering the fact that the investigation is already over and the charge sheet is also filed and the case is taken on file as Spl. S.C.No.31 of 2024 and that the petitioner was arrested on 19.03.2024 and that there are no bad antecedents against the petitioner, I am inclined to grant bail to the petitioner on certain conditions.

5. 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 learned 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 appear before the trial court on all hearings without fail



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and also engage an Advocate and shall not delay the process of the trial ;

(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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
19/08/2024

/ TRUE COPY /

19 / 08 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. THE PRINCIPAL SPECIAL JUDGE
FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
MADURAI

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



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2. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SAMAYANALLUR,
MADURAI DISTRICT.

3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.S.RAJASEKARAN @ RAGAVAN, Advocate (SR-10054[I] dated
19/08/2024)

ORDER
IN
CRL OP(MD) No.11775 of 2024
Date :19/08/2024

PSP/ /SAR /19.08.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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