



CRL OP(MD). No.13364 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13364 of 2024

Selvakumar,

... Petitioner/Sole-Accused

Vs

**The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District,
Crime No.16/2024.**

... Respondent/Complainant

For Petitioner : Mr. R. Murugappan, Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.16/2024 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 police for the offences punishable under Sections 5(I), 5(j)(ii) r/w. 6 of Protection of Child from Sexual Offences Act, 2012 (POCSO Act 2012) in Crime.No.16 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that on promising to marry the victim girl, who

is aged about 16 years, the petitioner herein had sexual intercourse with her and

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



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subsequently, she became pregnant and thereafter, he refused to marry her. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations in this case that the petitioner is said to have developed relationship and love affair with the victim child, aged 16 years, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. 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 Mahila Fast Track Court, Ramanathapuram, Ramanathapuram District 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;



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(b)the petitioner shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

(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;

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

sd/-
23/08/2024

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/ 09 /2024

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

TRP



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TO
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1 THE JUDGE
MAHILA FAST TRACK COURT,
RAMANATHAPURAM DISTRICT.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PARAMAKUDI, RAMANATHAPURAM DISTRICT,

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

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-10327[I] dated 23/08/2024)

ORDER
IN
CRL OP(MD) No.13364 of 2024
Date :23/08/2024

PSP/ GS /SAR /10.09.2024/ 4P/ 5C

Madurai Bench of Madras High Court is issuing certified
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