



CRL OP(MD). No.13416 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.13416 of 2024

Patlesh Kannan,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
D1 - Thallakulam Police Station,
Madurai District
Crime No.1267/2023.

... Respondent/Complainant

For Petitioner : M/s. Vishnu.J,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.1267 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who was arrested on 25.10.2023 for the alleged offence punishable under Sections 3(a), 4 of Protection of Children from Sexual Offences Act,

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



CRL OP(MD). No.13416 of 2024

2012, r/w (*)377 and 506(i) of IPC, in Crime No.1267 of 2023, on the file of the respondent police, has filed this petition, seeking bail that he is languishing in jail for the past 10 months.

2.The case of the prosecution is that the petitioner, who is a Poojari of a temple, under the guise of helping the victim boy for education has taken the boy to his house and attempted to sexually assault him. Hence, the case.

3.Considering the nature of allegations and the stage of investigation, the earlier application filed by this petitioner was dismissed on 27.06.2024. It is now reported that after completion of the investigation, charge sheet has been filed and trial has also been commenced.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submits that five witnesses have been examined so far and the remaining witnesses are the official witnesses.

5.Considering the fact that except the official witnesses, all other witnesses have been examined and also considering the period of incarceration, this Court is inclined to grant bail to the petitioner with some conditions.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail on the following conditions:-



CRL OP(MD). No.13416 of 2024

WEB COPY

i) The petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with two sureties each for a like sum to the satisfaction of the learned Sessions judge, Principal Special Court for Exclusive trial of Cases under POCSO Act, Madurai.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioner shall report before the trial Court daily at 10.30 a.m, till the trial is over.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.



CRL OP(MD). No.13416 of 2024

WEB COPY

v) On violation of any of the above conditions by the petitioner,
the respondent police shall move an application for cancellation of the
bail.

sd/-

30/08/2024

**(*)AMENDED AS PER ORDER OF THIS COURT
DATED 10/09/2024 in CRL MP(MD)No.9544 OF 2024 in
CRL OP(MD)No.13416 of 2024.**

/ TRUE COPY /

13/09/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

**TO BE SUBSTITUTED WITH THE ORDER DATED 30/08/2024 ALREADY
DESPATCHED**

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

2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
D1 - THALLAKULAM POLICE STATION,
MADURAI DISTRICT

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

+1 CC to M/s.J.VISHNU, Advocate (SR-11196[I] dated 11/09/2024)
<https://www.mhc.tn.gov.in/judis>



WEB COPY



CRL OP(MD). No.13416 of 2024

ORDER IN
CRL OP(MD) No.13416 of 2024
Date :30/08/2024

SA/SAR. /30.08.2024/5P/6C
TRP

SS/SAR. /13.09.2024/5P/6C

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