



CRL OP(MD). No.13072 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13072 of 2024

P.Kottaisamy

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
All Women Police Station
Samayanallur
Madurai District.
(In Crime No.19/2024.)

... Respondent/Complainant

For Petitioner : M.Vivek Kumar, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.19/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police
for the offences punishable under Sections 294(b), 323 of IPC and Sections 7 & 8 of



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POCSO Act, in Cr.No.19 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the petitioner herein none other than the father of the victim girl. He has misbehaved with the victim girl. Hence, the complaint.

3.Heard both sides.

4.Even though the case is otherwise serious that the father making bad touches to the daughter, considering the fact that the child itself has stated before the court that the incident was happened one year prior to the date of the complaint and also considering the facts that the parties are in dispute for more than one year and 7 accused are arrayed with such an allegation, this Court is inclined to grant anticipatory bail to the petitioner 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 Special Court for POCSO Act, Madurai, 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



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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 daily at 10.30 a.m, 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/-
09/08/2024

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



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DSS
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To

1.The Judge,
Special Court for POCSO Act, Madurai.

2.The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai District.

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

+1 CC to M/s.M.VIVEK KUMAR, Advocate (SR-9730[I] dated 09/08/2024)

ORDER
IN
CRL OP(MD) No.13072 of 2024
Date :09/08/2024

ED/ JGB /SAR- (20/08/2024) 4P / 5C

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