



CRL OP(MD). No.13381 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13381 of 2024

Abdul Majeeth,
S/o. Kalifullah,
7044- Mela Mettu Theru,
Thirukokarnam Post,
Pudukkottai.

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Pudukkottai, Pudukkottai District.
Crime No. 6/2024.

... Respondent/Complainant

For Petitioner : M/s. Mathavan.G,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 6 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

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The petitioner / Accused, who was arrested and remanded to judicial custody on 29.07.2024 for the offences punishable under Section 127 BNS, 2023 and Section 9 (e) r/w. Section 10 of POCSO Amendment Act, 2019, in crime No.6 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the defacto complainant went to the petitioner's dental hospital for affixing clip in her teeth, the petitioner touched the lips of her and attempted to misbehave with her.

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

4. The learned counsel for the petitioner submits that earlier the mother of the victim child had approached the Jamaath with a complaint of extra-marital affair. Considering the fact that she has come up with similar complaint against yet another person also, the same was not acted upon. Under the circumstances, the present complaint is given. Even though the same adds only to the bad antecedent of the petitioner and that will not in any manner come to the rescue of the petitioner, coming to the nature of allegations in this case that the petitioner being the dentist



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attempted to misbehave with the victim child, aged about 17 years and the fact that he is in jail from 29.07.2024, I am inclined to enlarge the petitioner on bail with 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 Sessions Judge, Mahila Court, Pudukkottai.

(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 report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii) the petitioner shall not tamper with evidence or witness;

iv) the petitioner shall not abscond during trial.



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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/-
14/08/2024

/ TRUE COPY /

14/08/2024
Sub-Assistant Registrar (PA-I/ AD-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. THE SESSIONS JUDGE, MAHILA COURT, PUDUKKOTTAI.

2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.

3. THE OFFICER IN CHARGE,
DISTRICT PRISON, PUDUKKOTTAI.

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

+1 CC to M/s.G.MATHAVAN, Advocate (SR-9916[I] dated 14/08/2024)

ORDER
IN
CRL OP(MD) No.13381 of 2024
Date :14/08/2024

RK (14/08/2024) 5P / 6C

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