



CRL OP(MD). No.13645 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13645 of 2024

Muthukumar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Vadamadurai,
Dindigul District.
Crime No.08/2024..

... Respondent/Complainant

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

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime no.08 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody



CRL OP(MD). No.13645 of 2024

on 07.07.2024 for the offences punishable under Sections 11(i) and 12 of POCSO Act,
in Crime No.8 of 2024 on the file of the respondent police, seeks bail.

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2.The case of the prosecution is that the petitioner had shown his private part to the victim girl, who is aged about 8 years old. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of allegation and also considering the fact that the petitioner is in jail from 07.07.2024, this Court is 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 Judicial Magistrate, Nilakottai.

(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;

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

iv)the petitioner shall not abscond during trial.



CRL OP(MD). No.13645 of 2024

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

sd/-
20/08/2024

/ TRUE COPY /

20/08/2024
Sub-Assistant Registrar()
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

- 1 THE JUDICIAL MAGISTRATE
NILAKOTTAI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
- 3 THE OFFICER INCHARGE,
DINDIGUL PRISON, DINDIGUL DISTRICT..
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VADAMADURAI,
DINDIGUL DISTRICT.



CRL OP(MD). No.13645 of 2024

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

+1 CC to M/s.S.LOUIS, Advocate (SR-10129[I] dated 20/08/2024)

ORDER

IN

CRL OP(MD) No.13645 of 2024

Date :20/08/2024

SS/GS/SAR- /20/08/2024/4P/7C

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