



CRL OP(MD). No.13662 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Karthi

... Petitioner/Sole Accused

Vs

**The Inspector of Police,
Fort All Women Police Station,
Tiruchirappalli District.
Crime No.15/2024.**

... Respondent/Complainant

For Petitioner : M/s.Karthikeyan.C, Advocate

**For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)**

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.15/2024 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

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police for the offences punishable under Sections 126(2) and 351(2) of BNS and Sections 11 and 12 of the POCSO Act, 2012, in Crime No.15 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that two years prior to this incident, the petitioner has sexual assaulted the victim girl and on 12.08.2024, he compelled her to contact him over phone and harassed her. Therefore, she attempted to commit suicide. Hence, the complaint.

3.The learned Counsel for the petitioner submits that the petitioner is ready to file an undertaking affidavit stating that he will not disturb the defacto complainant.

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

5.Considering the facts and circumstances of the case and also considering the nature of allegation and the submission made by the learned Counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Petition is allowed and 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 Mahila Court/Special

Court for POCSO Act Cases, Trichy District, on condition that the petitioner shall



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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;

(b) the petitioner shall report before the respondent police daily at 10.30 am for a period of two weeks;

(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



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(g) The petitioner shall file an undertaking affidavit stating that he will not disturb the defacto complainant before the respondent police.

sd/-
30/08/2024

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/ 09 / 2024

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

LR

TO

1 THE JUDGE
MAHILA COURT/SPECIAL COURT FOR POCSO ACT CASES,
TRICHY DISTRICT.

2 THE INSPECTOR OF POLICE
FORT ALL WOMEN POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.

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

ORDER
IN

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Date :30/08/2024

PSP/ GS /SAR /13.09.2024/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified
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