



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13954 of 2024

Krishnan @ Hari Krishnan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thoothukudi North Police Station,
Thoothukudi District.
(Crime No.84/2023).

... Respondent/Complainant

For Petitioner : Mr.B.Micheal Sebastin,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S.

PRAYER :-

For Bail in Crime No.84/2023 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

on 07.06.2024 for the offences punishable under Sections 366 of IPC and Section 6 of

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



POCSO Act, 2012, in Crime No.84 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had sexual intercourse with the victim girl, who is aged about 13 years and 6 months. Hence, the complaint.

3.Heard both sides.

4. Considering 164 Cr.P.C., statement given by the victim child and the nature of allegations in this case and also considering the fact that the petitioner is in judicial custody from 07.06.2024, 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 Special Court for Exclusive Trial of Cases Under POCSO Act, Thoothukudi, Thoothukudi District.

(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 appear before the trial Court for each and every hearing without fail;



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

iv) the petitioner shall not abscond during trial;

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/-
23/08/2024

/ TRUE COPY /

23/08/2024
Sub-Assistant Registrar (CS – I/ II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
THOOTHUKUDI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI ,
THIRUNELVELI DISTRICT.

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



3 THE INSPECTOR OF POLICE
THOOTHUKUDI NORTH POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.B.MICHEAL SEBASTIN, Advocate (SR-10307[I] dated 23/08/2024)

ORDER
IN
CRL OP(MD) No.13954 of 2024
Date :23/08/2024

MK/23.08.2024 4P 6C

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