



CRL OP(MD). No.16513 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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P.Visuvasi,

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep by,
The Inspector of Police,
Elanjambur Police Station,
Ramanathapuram District.
Crime No.72 of 2023.

... Respondent/Complainant

For Petitioner : Mr.T.Balarathinakumar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime no.72 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the



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respondent police for the offence punishable under Section 363 of IPC, in Cr.No.72 of 2023, seeks anticipatory bail.

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2.The case of the prosecution is that initially the case was registered as 'girl missing'. On inquiry, it was came to know that the petitioner had kidnapped the victim girl to Rameswaram and had committed penetrative sexual assault upon the victim girl. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that due to a love affair, the petitioner had committed penetrative sexual assault upon the victim girl and also eloped for marriage and the argument of the learned counsel for the petitioner that the petitioner will co-operate for the Medical Examination and other investigation, 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 the Exclusive Trail of POCOS Act Cases, Ramanathapuram, 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



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to the satisfaction of the learned Magistrate concerned and on further conditions that:

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(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 a.m, for a period of three weeks and thereafter, as and when required for interrogation;

(c) as per the undertaking given by the petitioner, the petitioner shall file an undertaking affidavit before the trial Court that the petitioner will co-operate for the Medical Examination and other investigation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
30/09/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

- 1 THE SPECIAL JUDGE FOR THE
EXCLUSIVE TRIAL OF POCSO ACT CASES,
RAMANATHAPURAM.
- 2 THE INSPECTOR OF POLICE,
ELANJAMBUR POLICE STATION, RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.16513 of 2024
Date :30/09/2024

SA/MMS/SAR. /16.10.2024/4P/4C

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