



CRL OP(MD). No.16330 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16330 of 2024

Micheal Renold

... Petitioner/Sole Accused

Vs

The State of Tamil Needy rep by,
The Inspector of Police,
AWPS Vilathikulam,
Thoothukudi District.
(*)(In Crime No.12 of 2024)

... Respondent/Complainant

For Petitioner : Mr.K.Dinesh, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in (*)Crime No.12/2024 on the file of the respondent police.



CRL OP(MD). No.16330 of 2024

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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 3(a) and 4 of Protection of Child from Sexual Offences Act, 2012, in (*)Cr.No.12 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had committed penetrative sexual assault upon the victim girl by giving a false promise that he would marry her. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner being the cousin brother is said to have intercourse with the victim girl, who is aged about 17 years and considering the argument of the learned counsel for the petitioner that both of them were in a relationship but only the relatives and the parents after finding that they have come within the prohibitory decree of relationship, given a complaint, and considering the 164 Cr.P.C., statement given by the victim child, 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



CRL OP(MD). No.16330 of 2024

of this order, before the Sessions Judge, Special Court for Exclusive Trail under POCSSO Act, Thoothukudi, 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 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 a.m, for a period of three weeks and thereafter, as and when required for interrogation;

(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;



CRL OP(MD). No.16330 of 2024

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

sd/-
19/10/2024

(*) Amended as per order of this Hon'ble Court
in CRL MP(MD)NO.13274 of 2024 in CRL OP
(MD).16330 of 2024 dated 06.12.2024.

Time is extended by one week from today to
comply the order of this Court in CRL OP(MD).
16330 of 2024 dated 19.10.2024

/ TRUE COPY /

06/12/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

TO BE SUBSTITUTED WITH THE ORDER ALREADY DATED 19/10/2024
ALREADY DESPATCHED.

1.The Sessions Judge,
Special Court for Exclusive Trial under POCSO Act,
Thoothukudi.

2.The Inspector of Police,
AWS Vilathikulam,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



CRL OP(MD). No.16330 of 2024

+1 CC to M/s.K.DINESH, Advocate (SR-15039[I] dated 06/12/2024)

ORDER
IN
CRL OP(MD) No.16330 of 2024
Date :19/10/2024

ED/ SSN /SAR- (12/11/2024) 5P / 5C

PSP/ /SAR /06.12.2024/ 5P/ 5C

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