



CRL OP(MD). No.16873 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 03.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16873 of 2024

R.Radhamanoharan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Samayanallur,
Madurai District,
Crime No.26/2024.

... Respondent/Complainant

For Petitioner : Mr.R.Shankar Ganesh, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.26/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/Accused, who is arrested and remanded to judicial custody on



CRL OP(MD). No.16873 of 2024

20.08.2024 for the offence punishable under Sections 75, 127, 351(2) of BNS, 2023 and Section 11(1) and 12 of POCSO Act, 2012 r/w.4(1)(j) of TNP Act, in Crime No.26 of 2024 on the file of the respondent police, seek bail.

2.The case of the prosecution is that when the victim girl was walking in the street, the petitioner took the victim girl inside the house and tied her hands and legs and gagged her mouth with a cloth and requested her to live with him. On hearing the voice of the victim girl, the petitioner's wife came to the place of occurrence. On seeing her wife, the petitioner left the scene of occurrence. Hence, the complaint.

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

4.Considering the nature of allegation in this case that the petitioner is said to have threatened the child, pushed her inside the house and tied her hands and mouth and immediately thereafter, the petitioner's wife rescued the child and took her to her own house from where the incident is said to have been reported to the police and considering the fact that the investigation is over and the charge sheet is filed and that the petitioner is in judicial custody from 20.08.2024, I am inclined to enlarge the petitioner on bail with certain conditions.



CRL OP(MD). No.16873 of 2024

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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 Principal Special Court for Exclusive Trial of Cases under POCSO Act, Madurai.

(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 three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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].



CRL OP(MD). No.16873 of 2024

(vi) If the accused thereafter absconds, a fresh FIR can be registered under
Section 229A IPC.

sd/-
03/10/2024

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03/10/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

To

1.The Sessions Judge,
Principal Special Court for Exclusive Trial of cases under POCSO Act, Madurai.

2.The Inspector of Police,
All Women Police Station,
Samayanallur, Madurai District.

3.The Superintendent,
Central Prison, Madurai.

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

+1CC to M/s.R.SHANKAR GANESH, Advocate, SR No.55965(F), dated 03.10.2024

ORDER
IN
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Date :03/10/2024



CRL OP(MD). No.16873 of 2024

ED/  /SAR- (03/10/2024) 5P / 6C

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