



CRL OP(MD)No.17709 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17709 of 2024

Sabarinathan

... Petitioner/ A1

Vs

The Inspector of Police,
All Women Police Station,
Karur.
Crime No.16 of 2024

... Respondent/ Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian
for Mr.K.Arunraj

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

For Intervenor : Mr.S.Gokulraj

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory Bail in Crime No.16 of 2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 7, 8 and 17 of POCSO Act, 2012 r/w. 294(b), 323 and 506(i) of IPC, in Crime No.16 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner tried to misbehave with the victim girl. 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 tried to misbehave with the victim child and only considering the fact that already another complaint was given with reference to having illicit affair with the mother of the child, in which the petitioner was arrested and enlarged on bail and considering the nature of allegations that it is made by the child in the instant case that the petitioner attempted to bad touch the victim child and she was smart enough to wriggle out of the petitioner, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



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5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional District and Sessions Judge (Fast Track Mahila Court) Karur, 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 am 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;

(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;



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(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 229-A IPC.

sd/-
22/10/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

TO

- 1 THE ADDITIONAL DISTRICT AND
SESSIONS JUDGE(FAST TRACK MAHILA COURT),
KARUR.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KARUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+ 1 CC TO Mr.S.GOKULRAJ, ADVOCATE IN SR No.12894 DATED 22/10/2024



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+1 CC TO Mr.K.ARUNRAJ, ADVOCATE IN SR No.12917 DATED 22/10/2024

ORDER
IN
CRL OP(MD) No.17709 of 2024
Date :22/10/2024

SS/SKN/SAR- /14/11/2024/ 5P/6C

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