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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.17906 of 2024

Sagayaraj, ... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
Crime No.547 of 2022.. ... Respondent/Complainant

For Petitioner : M/s.D.Venkatesh, Advocate.
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL UNDER SECTION 483 OF BNSS

PRAYER :-

To enlarge him on bail in respect of Spl.S.C.No.219/2023 on the file of the Fast Track Mahila Court, Dindigul in Crime No.547 of 2022 on the file of the respondent and thus render justice.

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ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 02.09.2024 for the offences punishable under Section 9 of the Prohibition of Child Marriage Act, 2006 and Sections 5(1)(j)(ii) and 6 of the Protection of Child from sexual offences Act, 2012 in Spl.S.CNo.219 of 2023 in crime No. 547 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the due to the love affair, the petitioner herein has married the minor victim girl. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. Considering the nature of allegation and considering the fact that the the petitioner is in prison from 02.09.2024, I am inclined to enlarge the petitioner on bail.

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 Fast Track Mahila Court, Dindigul.

(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

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card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall appear before the concerned Court on all hearing dates 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
19/10/2024

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19 / 10 /2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

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TO

1 THE JUDGE
FAST TRACK MAHILA COURT, DINDIGUL

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
DINDUGAL DISTRICT.

3 THE OFFICER INCHARGE
DISTRICT JAIL, DINDIGUL.

4 THE INSPECTOR OF POLICE,
DINDIGUL TALUK POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER
IN
CRL OP(MD) No.17906 of 2024
Date :19/10/2024

PSP/ /SAR /19.10.2024/ 4P/ 6C

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