



CRL OP(MD)No.17919 of 2024

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

Date : 24.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17919 of 2024

Jegatheesh

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Ramanathapuram District,
(Crime No.12/2023.)

... Respondent/Complainant

For Petitioner : Mr.P.Praveenkumar, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in connection with Spl.S.C.No.48 of 2023 in Crime No.12/2023 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 07.05.2023 for the offence punishable under Sections 376(3) of IPC and Sections 5(1),



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6 of POCSO Act, in Crime No.12 of 2023 on the file of the respondent police, seeks
bail.

2.The case of the prosecution is that the petitioner had sexual intercourse with the victim girl, who is aged about 13 years. Hence, the complaint.

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

4.Considering nature of allegation in this case that the petitioner, who is aged about 32 years, committed penetrative sexual assault on the victim child, who is 13 years of age and already the prime witness being examined and out of 21 witness, 7 witnesses already been examined and in the cross examination, the victim child also gave an answer for one question, as if they were in relationship and considering the fact that the petitioner is in judicial custody from 07.05.2023, I am inclined to enlarge the petitioner on bail with certain conditions.

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 Sessions Judge (Fast Track Mahila Court), Ramanathapuram;

(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;

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(ii)the petitioner shall attend all the hearings in Spl.S.C.No.48 of 2023, without fail and thereafter, the petitioner shall report before the Sessions Court on all the hearing dates without fail. The petitioner shall keep informed the Investigation Officer about his whereabouts;

(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 229A IPC.

sd/-
24/10/2024

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24/10/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR



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To

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1.The Sessions Judge
(Fast Track Mahila Court),
Ramanathapuram.

2.The Inspector of Police,
All Women Police Station,
Ramanathapuram,
Ramanathapuram District.

3.The Officer Incharge,
District Prison, Ramanathapuram.

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

+1 CC to M/s.P.PRAVEEN KUMAR, Advocate (SR-13095[I] dated 24/10/2024)

ORDER

IN

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Date :24/10/2024

ED/ /SAR- (24/10/2024) 4P / 6C

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