



CRL OP(MD)No.18322 of 2024

WEB COPY

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.18322 of 2024

Bright Thanga Xavier

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Nagercoil, Kanniyakumari District,
(Crime No.14/2024.)

... Respondent/Complainant

For Petitioner : Mr.S.Suresh Kumar, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.14/2024 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 26.08.2024 for the offence punishable under Sections 7, 8, 9(f) & 10 of Protection of



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Child from Sexual Offences Act, 2012, in Crime No.14 of 2024 on the file of the
respondent police, seeks bail.

2.The case of the prosecution is that the petitioner tried to misbehave with the victim boy, who is age about 17 years. 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 molest a boy child and only because the victim boy was alert, he escaped from any further major abuse and considering the fact that the petitioner is in custody from 26.08.2024, 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 Special Court for POCSO Act Cases, Nagercoil, Kanniyakumari District;

(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 four weeks and thereafter, as and when required for



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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].

(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

To

1.The Judge,
Special Court for POCSO Act Cases,
Nagercoil, Kanyakumari District.



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2.The Inspector of Police,
All Women Police Station,
Nagercoil, Kanyakumari District.

3.The Officer Incharge,
Sub Jail, Nagercoil,
Kanyakumari.

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

+1 CC to M/s.S.SURESH KUMAR, Advocate (SR-13051[I] dated 24/10/2024)

ORDER
IN
CRL OP(MD) No.18322 of 2024
Date :24/10/2024

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

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