



CRL OP(MD). No.18791 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18791 of 2024

Mathi @ Mathiyarasan

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Keeranur AWPS Police Station,
Pudukottai District.
Cr.No.6/2024..

... Respondent/Complainant

For Petitioner : MR. G.Chezhiyan,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

PRAYER :-

For Bail in Cr.No.6 of 2024 on the file of the respondent police.

<https://www.mhc.tn.gov.in/judis>



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ORDER : The Court made the following order :-

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The petitioner/ Accused, who was arrested and remanded to judicial custody on 02.08.2024 for the offences punishable under Sections 5(1), 5(n), 5(j)(ii), 6(1) of POCSO Amendment Act, 2019 and 351(2) of BNS in crime No.6 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein had committed penetrative sexual assault on the victim girl, who is aged about 17 years 10 months and that she became pregnant. 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 allegations in this case that the petitioner repeatedly had physical relationship with the victim child, who is aged about 17 years and 10 months and considering the fact that the petitioner is also unmarried and the argument of the learned counsel for the petitioner that they were having a relationship and considering the fact that the petitioner is in custody from 2/8/2024



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and now the investigation is almost completed and awaiting only for DNA report, 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 Mahila Court, Pudukkottai 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 appear before the respondent Police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required for interrogation;

(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



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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/-
29/10/2024

/ TRUE COPY /

29/10/2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDGE, MAHILA COURT, PUDUKKOTTAI DISTRICT.
2. THE OFFICER IN CHARGE, KEERANUR PRISON, PUDUKKOTTAI.
3. THE INSPECTOR OF POLICE,
KEERANUR AWPS POLICE STATION,
PUDUKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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+1 CC to M/s.V.G.CHEZHIAN, Advocate (SR-13329[I] dated 29/10/2024)

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ORDER
IN
CRL OP(MD) No.18791 of 2024
Date :29/10/2024

RK/ (29/10/2024) 5P / 6C

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