



CRL OP(MD)No.18798 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

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Vallarasu

... Petitioner/Sole Accused

Vs

1. The Inspector of Police,
All Women Police Station,
Manamadurai,
Sivagangai District.

2. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime No.449 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Jegadeesh Pandian
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory Bail in Crime No.449 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 3 and 4 of POCSO Act, Section 96 of BNS, 2023, and Section 366(A) of IPC, in Crime No.449 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is said to have developed an affair with the victim girl and had physical intercourse with her. 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 is said to have developed an affair with the victim child and had physical intercourse and considering the age of the petitioner and the age of the victim girl, I am of the view that this is a fit case for enlarging 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 Judicial Magistrate, Manamadurai Sivagangai District** 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 second respondent police daily at 10.30 a.m., 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;



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(d)the petitioner shall not abscond either during investigation or trial;

(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/-
29/10/2024

**(*)AMENDED AS PER ORDER OF THIS COURT
DATED 20.01.2025 IN CRL MP(MD)No.592 & 594
of 2025**

**(*)TIME IS EXTENDED BY ONE WEEK FROM
THE DATE OF RECEIPT OF A COPY OF THIS
ORDER TO COMPLY THE ORDER OF THIS
COURT IN CRL.O.P.(MD).NO.18798 OF 2024
DATED 29.10.2024.**

/ TRUE COPY /

/01/2025

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



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JBR

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 29/10/2024 ALREADY DESPATCHED

- 1 THE JUDICIAL MAGISTRATE,
FAST TRACK MAHILA COURT, MANAMADURAI,
SIVAGANGAI DISTRICT.
 - 2.THE JUDICIAL MAGISTRATE, MANAMADURAI SIVAGANGAI DISTRICT
 - 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT.
 - 4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAMADURAI, SIVAGANGAI DISTRICT.
 - 5 THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION, SIVAGANGAI DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.M.JEGADEESH PANDIAN, Advocate SR.588 dated 21/01/2025

ORDER
IN

CRL OP(MD) No.18798 of 2024

Date :29/10/2024

SS/SAR- /23/11/2024/ 5P/7C

RK/VR/29.01.2025 5P/8C

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