



CRL OP(MD). No.19632 of 2024

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

Date : 21/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19632 of 2024

Mathivanan

... Petitioner/Sole Accused

Vs

The State of Tamilnadu,
Rep.By,
The Inspector of Police,
All Woman Police Station,
Kumbakonam,Thanjavur District.
(Crime No.14 of 2024).

... Respondent/Complainant

For Petitioner : Mr.K.Saravan, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.14 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / sole accused, who was arrested and remanded to judicial



CRL OP(MD). No.19632 of 2024

custody on 16.10.2024 for the offence under Sections 4(2), 5(1), 5(j)(ii) r/w Section 6 of POCSO Act r/w Section 9 of Prohibition of Child Marriage Act, 2006 and Section 87 of BNS, 2023 in Crime No.14 of 2024, seeks bail.

2. The case of the prosecution is that the accused persons developed a relationship with the victim girl and committed sexual assault against the victim girl.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner and the victim girl are relatives and they had a love affair and started living separately from 17.03.2023 and also considering the statement given by the victim girl under Section 164 of Cr.P.C., this Court is inclined to grant bail to the petitioner subject to the following conditions.

6. Accordingly, the criminal original petition is ordered 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 Principal Special Judge for Exclusive Trial of Cases under POCSO ACT, Thanjavur and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the



CRL OP(MD). No.19632 of 2024

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 respondent Police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
21/11/2024

/ TRUE COPY /

21/11/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG



CRL OP(MD). No.19632 of 2024

To

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1.The Principal Special Judge for Exclusive Trial of Cases
under POCSO Act,

Thanjavur.

2.The Inspector of Police,
All Women Police Station,
Kumbakonam, Thanjavur District.

3.The Superintendent,
Central Jail, Trichy.

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

ORDER

IN

CRL OP(MD) No.19632 of 2024

Date :21/11/2024

ED/ /SAR- (21/11/2024) 4P / 5 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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