



CRL OP(MD). No.19397 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19397 of 2024

Devendran

... Petitioner/Sole Accused

Vs

The State of Tamilnadu Rep.,
By, the Inspector of Police Illupur
All Woman Police Station,
Pudukkottai District.
(In Crime No. 5 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Ganapathi Subramanian.P, Advocate
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITIONS FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.5 of 2024 on the file of The Respondant Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.19397 of 2024

WEB COPY

The petitioner/Sole accused, who was arrested and remanded to judicial custody on 19.09.2024 for the offences under Sections 5(1) r/w 6(1) of POCSO Act, 2019 in Crime No.5 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the victim girl developed a love affair. During this period, they had sexual intercourse. The petitioner, who was aged about 23 years and the victim girl is aged about 14 years. The mother of the victim girl made the victim girl and the petitioner come over to Chennai. Accordingly, both of them went to Chennai. The petitioner was also allowed to stay in the same house. Hence, whenever the mother goes out of the house, the victim girl and the petitioner used to have sexual intercourse. Ultimately, when the victim girl was insisting for marrying her, the petitioner is said to have evaded the same and was attempting to marry someone else. Under these circumstances, the complaint came to be given against the petitioner.

3. Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

4. Taking into consideration the facts and circumstances of the case and also considering that the petitioner has already suffered incarceration from 19.09.2024 onwards, this Court is inclined to grant bail to the petitioner subject to the following conditions.



CRL OP(MD). No.19397 of 2024

WEB COPY

5. 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 out of which, one of the surety shall be a blood relative, each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Pudukottai. and on further conditions that:-

[a] 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 respondent police every Monday and Friday at 10.30 a.m until further orders except on the days when the case is posted for hearing before the trial Court.

[c] the petitioner shall appear before the trial Court during every hearing date without fail.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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



CRL OP(MD). No.19397 of 2024

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

WEB COPY

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 229A IPC.

sd/-
11/11/2024

/ TRUE COPY /

11 / 11 /2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE SESSIONS JUDGE
MAHILA COURT, PUDUKOTTAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE OFFICER INCHARGE
DISTRICT PRISON, PUDUKOTTAI.

4 THE INSPECTOR OF POLICE
ILLUPUR ALL WOMAN POLICE STATION,
PUDUKKOTTAI DISTRICT,

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



WEB COPY



CRL OP(MD). No.19397 of 2024

ORDER

IN

CRL OP(MD) No.19397 of 2024

Date :11/11/2024

PSP/ /SAR /11.11.2024/ 5P/ 6C

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