



CRL OP(MD). No.19645 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19645 of 2024

Manikandan

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
Rep By,
The Inspector of Police,
All Women Police Station,
Vallam,
Thanjavur District.
Crime No.22/2024..

... Respondent/Complainant

For Petitioner : Mr.C.Anand,
Advocate.

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.22/2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

The petitioner / Sole Accused, who was arrested and remanded to judicial custody on 20.09.2024 for the alleged offence under Sections 115(2), 329(4) of the BNS r/w. Sections 11(4), 11(5) and 12 of POCSO Act, 2019, in Crime No.22 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is having 3 daughters. The first daughter is studying B.Com., the second daughter is studying 10th standard and the third daughter is studying 7th standard. On 17.09.2024 at about 5.30 p.m., when the defacto complainant and his last daughter went to market and her husband was also not in the house, the first and second daughters were present in their house. All of a sudden, the accused person came to the house and assaulted the second daughter.

3. Heard the learned counsel on either side and perused the material records of the case.

4. In the instant case, the petitioner, who is aged about 19 years, seems to have some love affair with the first daughter of the defacto complainant. Therefore, there



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was some dispute. He is said to have barged into the house when the parents were not there and when the second daughter questioned the same, he is said to have assaulted her.

5. Taking into consideration the facts and circumstances of the case and also considering the age of the petitioner and considering the fact that he has suffered incarceration from 20.09.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, **out of which one surety shall be a blood relative**, 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 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 on every Friday at 05.30 p.m. until further orders.



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[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 229A IPC.

sd/-

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14 /11 /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO COPY

- 1.The Principal Special Judge
for Exclusive Trial of Cases
under POCSO Act,
Thanjavur.
 - 2.The Officer In-Charge,
District Jail,
Pudukkottai.
 - 3.The The Inspector of Police,
All Women Police Station,
Vallam,
Thanjavur District.
 - 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1. CC to M/S. K.DINESH Advocate SR.No.14031

ORDER
IN
CRL OP(MD) No.19645 of 2024
Date :14/11/2024

RD(14/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.