



CRL OP(MD). No.19995 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19995 of 2024

Vignesh

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukottai District.
Crime No. 9/2024.

... Respondent/Complainant

For Petitioner : M/s. Gurumoorthy. S, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No. 9 of 2024 on the file of the respondent police.



CRL OP(MD). No.19995 of 2024

ORDER : The Court made the following order :-

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The petitioner/sole accused, who was arrested and remanded to judicial custody on 21.09.2024 for the offences under Sections 5(1), 5(j)(ii) r/w 6(1) of POCSO Act in Crime No.9 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl was sexually abused by the petitioner. As a result of which, she became pregnant.

3. Heard the learned Counsel appearing on either side.

4. Taking into consideration the fact that the victim girl had an affair with the petitioner and as a result, the petitioner had physical intercourse with the victim girl and also considering the fact that the investigation is almost completed except awaiting for the DNA report and the petitioner has suffered incarceration from 21.09.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions.

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



CRL OP(MD). No.19995 of 2024

WEB COPY

ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Pudukkottai, 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 05.30 p.m till the police report is filed and thereafter, appear before the concerned Court during every date of hearing without fail.

[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 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].



CRL OP(MD). No.19995 of 2024

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

sd/-
19/11/2024

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19 /11/2024
Sub-Assistant Registrar (AD-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1. The Sessions Judge, Mahila Court, Pudukkottai,
2. The Officer in charge,
District Prison, Pudukkottai.
3. The Inspector of Police,
All Women Police Station,
Aranthangi,
Pudukottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.GURUMOORTHY, Advocate (SR-14172[I] dated 19/11/2024)

ORDER
IN
CRL OP(MD) No.19995 of 2024
Date :19/11/2024



CRL OP(MD). No.19995 of 2024

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