



CRL OP(MD). No.20221 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.20221 of 2024

Thavasi

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Thirumayam Police Station,
Pudukottai District.
(Crime No. 10 of 2024).

... Respondent/Complainant

For Petitioner : Ms.R.Shyamala, 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. 10 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 custody on 20.09.2024 for the offence under Sections 5(1) r/w 6(1) of POCSO



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Amendment Act, 2019, Section 9 of Prohibition of Child Marriage Act, 2006 in Crime

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No.10 of 2024, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner had relationship with the victim girl, who was a minor and sexually assaulted her.

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 previous relationship with the petitioner and the victim girl and also considering the statement recorded from 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.

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, 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.



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[b] the petitioner shall report before the respondent Police as and when required.

[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

To

1.The Sessions Judge,
Mahila Court, Pudukkottai.



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2.The Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.

3.The Officer Incharge,
District Prison, Pudukkottai.

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

+1 CC to M/s.G.MATHAVAN, Advocate (SR-14356[I] dated 21/11/2024)

ORDER
IN
CRL OP(MD) No.20221 of 2024
Date :21/11/2024

ED/ /SAR- (21/11/2024) 4P / 6C

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