



CRL OP(MD). No.22084 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Ramakrishnan @ Eraniyan

... Petitioner / Accused No.2

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Guzilamparai Police Station,
Dindigul District.
(Crime No.100 of 2022)

... Respondent / Complainant

For Petitioner : Mr.S.Valarmathi,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS,2023.

PRAYER :-

For Bail in Crime No.100 of 2022 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner / Accused No.2, who was arrested and remanded to judicial custody on 05.08.2024 for the alleged offences under Section 366(A) of IPC and Section 5(n), (l) read with Sections 6 and 17 of the POCSO Act and Section 9 & 11 of the Prohibition of Child Marriage Act, 2006, in Crime No.100 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner is facing trial before the sessions Court for POCSO Cases, Dindigul in Spl.S.C.No.179 of 2023. There are totally two accused persons in this case and the petitioner has been arrayed as A2. He is the uncle of A1. The petitioner was not present at the time of hearing on 17.05.2023 and hence, Non-Bailable Warrant (NBW) was issued. The petitioner was able to be secured only on 05.08.2024, and he was produced before the Court, and he was remanded to judicial custody.

3. The learned Additional Public Prosecutor submitted that A1 is still absconding in this case, and in view of both the accused persons jumping bail, there is absolutely no progress in this case. He further submitted that the respondent police came to understand that A1 is now in Maharashtra.

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

5. Taking into consideration the facts and circumstances of the case, and



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considering the fact that the petitioner has suffered incarceration from 05.08.2024, and considering the fact that there has been no progress in this case, since A1 is absconding, and also considering the fact that keeping the petitioner inside the jail will not, in no way, help the police in securing A1, 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, each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Cases Under POCSO Act, Dindigul, 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 appear before the Special Court for Exclusive Trial of Cases Under POCSO Act, Dindigul daily at 10.30 a.m. and also before the respondent police at 05.30 p.m. until further orders.

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



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[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/-
13/12/2024

/ TRUE COPY /

13/12/2024
Sub-Assistant Registrar (VIGILANCE)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn

TO

1.The Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Dindigul,



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2.The Officer-in-Charge,
District Prison,
Dindigul.

3.The Inspector of Police,
Guzilamparai Police Station,
Dindigul District.

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

+1 CC to M/s.S.VALARMATHI, Advocate (SR-15417[I] dated 13/12/2024)

ORDER
IN
CRL OP(MD) No.22084 of 2024
Date :13/12/2024

RK (13/12/2024) 5P / 6C

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