



CRL OP(MD). No.21740 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Ancilin Vinci

... Petitioner/ Accused No.3

Vs

State of Tamil Nadu,
The Inspector of Police,
Kulachel All Women Police Station,
Kanyakumari District
(In Cr.No.9 of 2024.)

... Respondent/Complainant

For Petitioner : Mr.M.Jerin Mathew, 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.

ORDER : The Court made the following order :-

The petitioner /Accused No.3, who was arrested and remanded to judicial custody on 20.11.2024 for the offences under Section 451 of IPC and Section 7, 8, 16



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and 17 of POCSO Act in Crime No.09 of 2024 on the file of the respondent Police,
seeks bail.

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2. The case of the prosecution is that on the date of incident, Accused No.1 is said to have sexually assaulted the victim girl. Accused No.2 is the mother and Accused No.3 is the elder sister of Accused No.1 and they had put pressure on the victim girl and her family not to give any complaint. There are totally three accused persons in this case and the petitioner has been arrayed as Accused No.3.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police.

4. This Court carefully considered the submissions made on either side and the materials available on record and also the statement recorded from the victim girl under Section 164 of Cr.P.C.

5. The overt act attributed against the petitioner is that she is the elder sister of Accused No.1 and she along with the mother was putting pressure on the victim girl and her family not to give any complaint and to pardon Accused No.1.

6. The learned Additional Public Prosecutor submitted that the Accused No.1 is yet to be secured in this case.

7. Taking into consideration the facts and circumstances of the case and considering the overt act attributed against the petitioner and taking note of the fact



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that the petitioner has suffered incarceration from 20.11.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

8. 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 (Special Court for Exclusive Trial of POCSO Cases), Nagercoil 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 daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for interrogation.

[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



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

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

sd/-
10/12/2024

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10/12/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Sessions Judge,
Special Court for Exclusive Trial of POCSO Cases,
Nagercoil.

2.The Inspector of Police,
Kulachel All Women Police Station,
Kanyakumari District.

3.The Officer Incharge,
Sub Jail, Tuckalay.

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

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-15148[I] dated 10/12/2024)

ORDER
IN

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Date :10/12/2024



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ED/ /SAR- (10/12/2024) 5P / 6C

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