



CRL OP(MD). No.22377 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Ganesan,

... Petitioner/ Sole Accused

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
All Women Police Station,
Thirumayam,
Pudukkottai District.
(Crime No.13 of 2024)

... Respondent / Complainant

For Petitioner : Mr.NA.Palaniyandi,
Advocate.

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

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

PRAYER :-

For Bail in Crime No.13 of 2024 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, who was arrested and remanded to judicial custody on 30.11.2024 for the alleged offences under Sections 5(1), 5(j)(ii) r/w. 6(1) of POCSO Amendment Act, 2019 and Section 9 of Prohibition of Child Marriage Act, 2006, in Crime No.13 of 2024, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the victim girl had love affair and he is said to have had physical intercourse with the victim girl, as a result of which, she became pregnant. The petitioner is aged about 19 years and the victim girl is aged about 16 years.

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

4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner and the victim girl had love affair and also taking note the statement that was recorded from the victim girl under Section 183 (5) of BNSS, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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5. 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 learned Sessions Judge, Mahila Court at 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 appear before the learned respondent police 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



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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/-
18/12/2024

/ TRUE COPY /

18/12/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

- 1 THE SESSIONS JUDGE,
MAHILA COURT AT PUDUKKOTTAI.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUMAYAM,
PUDUKKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON AT PUDUKKOTTAI,
PUDUKKOTTAI DISTRICT.



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4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-15581[I] dated 18/12/2024)

ORDER
IN
CRL OP(MD) No.22377 of 2024
Date :18/12/2024

SS/SAR- /18/12/2024/ 5P/6C

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