



CRL OP(MD). No.22658 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22658 of 2024

Sudalaimani

... Petitioner/Sole Accused

Vs

The Inspector of Police,
All Women Police Station,
Pudukottai, Thoothukudi District
Crime No.13 of 2024

... Respondent/Complainant

For Petitioner : Mr.M.Raja Ravi Varma, Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :-

For Bail in Crime No.13 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 29.10.2024 for the offences under Sections 363 of IPC and Sections 5(1), 5(j) (ii) r/w Section 6 of POCSO Act in Crime No.13 of 2024, on the file of the respondent Police, seeks bail.



CRL OP(MD). No.22658 of 2024

WEB COPY

2. The case of the prosecution is that the petitioner is said to have committed penetrative sexual assault on the victim girl and as a result of which, she also became pregnant.

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

4. This Court had the advantage of reading the statement recorded from the victim girl under Section 183 of BNSS. It is seen that the petitioner and the victim girl are distant relatives and they had a love affair. The petitioner is aged about 20 years and the victim girl was studying in the 10th standard. The petitioner seems to have had physical intercourse with the victim girl and she also became pregnant.

5. Considering the facts and circumstances of the case and taking note of the relationship between the parties and also considering the age of the petitioner and considering the fact that the petitioner has suffered incarceration from 29.10.2024, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. 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 POCSO Act Cases, Thoothukudi and on further conditions that:-



CRL OP(MD). No.22658 of 2024

WEB COPY

[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 10.30 a.m. until further orders.

[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/-
20/12/2024

/ TRUE COPY /

20/12/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.22658 of 2024

TO

WEB COPY

1 THE SESSIONS JUDGE, SPECIAL COURT FOR POCSO ACT CASES,
THOOTHUKUDI.

2 THE SUPERINTENDENT, CENTRAL JAIL, PALAYAMJOTTAI.

3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
PUDUKOTTAI, THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-15792[I] dated 20/12/2024)

ORDER

IN

CRL OP(MD) No.22658 of 2024

Date :20/12/2024

RS//SAR-(20.12.2024) 4P 6C

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