



CRL OP(MD). No.22401 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Karthikeyan @ Bablu

... Petitioner/ Accused Rank Not Known

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thadi Kombu Police Station,
Dindigul District.
Crime No. 611/2019.

... Respondent/Complainant

For Petitioner : Mr.P.Manikandan, Advocate

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- To enlarge the petitioner on bail in respect of Spl.S.C.No. 336/2023 in Crime No. 611/2019 pending before the Learned Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul and thus render justice.

ORDER : The Court made the following order :-

The petitioner, who was arrested and remanded to judicial custody on

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09.11.2024 for the offences under Sections 294(b) and 397 r/w Section 34 of IPC in Spl.S.C.No. 336 of 2023, pending before the Learned Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul in Crime No.611 of 2019 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant was driving a truck and this truck was intercepted by the accused persons and they demanded money and threatened the defacto complainant with dire consequences and also attacked him with a knife and snatched away a sum of Rs.500/- and also a mobile phone. There are totally six accused persons in this case and the petitioner has been arrayed as A6. A4 to A6 were initially dealt with as juvenile offenders and based on the order passed by the Special Court, they are also now tried along with the adult offenders. When the matter was taken up for hearing on 05.11.2024, the petitioner was not present in the Court and therefore, non bailable warrant was issued. The petitioner was arrested in yet another case on 09.11.2024 and in this case, he was produced before the Court in execution of the non bailable warrant on 18.11.2024. The Court below remanded the petitioner to judicial custody.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioner has three previous cases against him out of which, two cases involves robbery. He further submitted that one accused after



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another is absconding and therefore, there is absolutely no progress in this case.

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Hence, he vehemently opposed the grant of bail to the petitioner.

4. Heard the learned Counsel appearing on either side.

5. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioner is suffering incarceration in this case from 18.11.2024 and taking note of the pending cases against the petitioner, 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 Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul District, 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 Special Court for Exclusive trial of Cases under the POCSO Act, Dindigul daily at 10.30 a.m until further orders, apart from the date of hearing.

[c] the petitioner shall appear before the trial Court during every hearing date



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without fail.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

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

sd/-
03/01/2025

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO
1 THE SPECIAL JUDGE FOR
EXCLUSIVE TRIAL OF CASES UNDER THE POCSO ACT,
DINDIGUL

2 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL

<https://www.mhc.tn.gov.in/judis>



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3 THE INSPECTOR OF POLICE,
THADI KOMBU POLICE STATION,
DINDIGUL DISTRICT.

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

ORDER
IN
CRL OP(MD) No.22401 of 2024
Date :03/01/2025

SA/SAR. /03.01.2025/5P/5C

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