

**IN THE COURT OF SESSIONS JUDGE, MAHILA COURT,
PERAMBALUR.**

**Present: Thiru.S. Giri, B.Sc., M.L.,
Sessions Judge,
Mahila Court, Perambalur.**

Monday this the 8th day of February, 2021

E. Bail No.21/2021

Nishanth (Age 26/2021),
S/o. Duraisamy,
Velur Village,
Perambalur Taluk and District.

... Petitioner/Accused.

-vs-

Inspector of Police,
All Woman Police Station,
Perambalur.
Crime No.22/2020.

Offences U/Ss.
9, 10 Child Marriage Act 2006 and
5(l), 5(j) (ii) r/w 6 of POCSO Act 2012. ... Respondent/Complainant.

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This petition coming on this day before me for order in the form of e-bail by Thiru. E. ValluvanNambi Advocate for the petitioner and the Special Public Prosecutor for the State and upon perusing the petition objection and other relevant records, this Court has delivered the following...

ORDER

1. This petition is filed U/s 439 of Cr.P.C.. before this Court to grant bail to the petitioner / accused herein concerned in Crime No.22/2020 on the file of All Woman Police Station for the alleged

offences U/Ss. 9, 10 Child Marriage Act 2006 and 5(l), 5(j) (ii) r/w 6 of POCSO Act 2012.

2. The case of the prosecution is that this petitioner involved in an offences U/Ss. 9, 10 Child Marriage Act 2006 and 5(l), 5(j) (ii) r/w 6 of POCSO Act 2012. Hence a case has been registered against the petitioner.

3. The learned Counsel appearing for the petitioner/accused submitted that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case due to enmity. The above petitioner is not involving the above offence. He is innocent. The petitioner/1st Accused has competent surety for his due appearance before Court Law and he will not evade course of justice. He is permanent resident of Velur Village, Perambalur Taluk and District. Therefore Petitioner Counsel prays to grant bail to the petitioner.

4. The learned Special Public Prosecutor has stated in reply that the accused was involved in an offence U/Ss. 9, 10 Child Marriage Act 2006 and 5(l), 5(j) (ii) r/w 6 of POCSO Act 2012 and the accused was arrested and remanded on 10.12.2020. Further it is submitted that strongly objected to the granting bail to this accused. A2 Duraisamy, A3 Kathivel and A4 Malarvizhi were not arrested in this case. Medical examination of the accused has been completed and the Medical Certificate thereof is yet to be received. The accused will abscond if released on bail. Therefore, bail cannot be granted to this petitioner at this stage and prays for dismissal of this petition.

5. Submissions of the petitioner counsel heard and objections of the Special Public Prosecutor also heard.


6. Records on hand are perused. The Special Public Prosecutor strongly objected to release the accused on bail and also stated that the accused will abscond and other accused A2, A3, A4 are yet to be arrested. It would not be proper to release the accused at this stage.

7. Taking into consideration of the facts and circumstances of the case and the strong objection raised by the prosecution and investigation is pending and other accused A2, A3, A4 are not arrested, so for, this court is not inclined to grant bail to this petitioner.

Therefore this bail petition is dismissed.

Pronounced by me through E bail, this the 8th day of February




8/2/2021.
Sessions Judge,
Mahila Court, Perambalur.

- Copy to:
1. The Special Public Prosecutor, Perambalur.
 2. The Inspector of Police, All Woman Police Station, Perambalur.
 3. The Advocate for the petitioner.