

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

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

Wednesday, this the 3rd day of March, 2021.

E. Bail No.42/2021

Chinnadurai, (Age 24/2020),
S/o. Kaliyappan,
OOTaingal, Padalur Post,
Alathur Taluk,
Perambalur District.

... Petitioner/Accused.

-VS-

Inspector of Police,
Padalur Police Station,
Perambalur.
Crime No.36/2021.

Offences U/S. 5(1) r/w 6 of POCSO Act ... 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.36/2021 on the file of Padalur Police Station for the alleged offences U/S 5(1) r/w 6 of POCSO Act.

2. The case of the prosecution is that this petitioner involved in an offences U/S 5(1) r/w 6 of POCSO Act. 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. No similar petition pending before the Hon'ble Court and no petition was dismissed by the Hon'ble High Court at Chennai. 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/S 5(1) r/w 6 of POCSO Act 2012 and the accused was arrested and remanded on 05.01.2021. Further it is submitted that strongly objected to the granting bail to this accused. A draft charge sheet has to be prepared and approved by the District, Deputy Director and a final crime report has to be filed. 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 petitioner was remanded only on 05.01.2021 for an offence U/S 5(1) r/w 6 of POCSO Act 2012. Special Public Prosecutor strongly objected to release the accused on bail. The final report has to be filed.

7. Taking into consideration the facts and circumstances of the case and the period of incarceration by the petitioner from 05.01.2021, this court is inclined to grant bail to this petitioner subject to the following conditions:

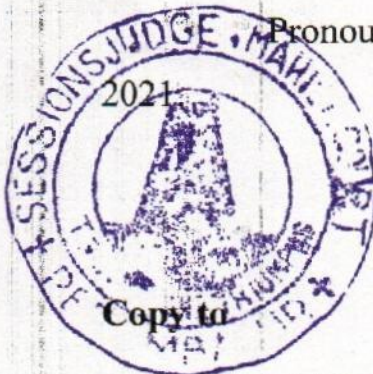
a) that the petitioner is ordered to be released on bail on execution of a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of this Court.


b) that the petitioner shall appear and sign before this Court daily twice viz 10.00 a.m and 5.00 pm until further orders.

c) that the petitioner shall co-operate with the police for investigation.

d) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.

Pronounced by me through E bail, this the 3rd day of March




3/3/2021
Sessions Judge,
Mahila Court, Perambalur.

1. The Special Public Prosecutor, Perambalur.
2. The Inspector of Police, Padalur Police Station, Perambalur.
3. The Advocate for the petitioner.