

**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 2nd day of December, 2020.

E. Bail No.901/2020

R. Ganesh, (Age 27/2020),
S/o. Rajasekar,
No.28, First Street, Thaskant nagar,
Vriddhachalam,
Cuddalore District -606 001.

... Petitioner/Accused.

-vs-

Inspector of Police,
Perambalur Police Station,
Perambalur.
Crime No.2156/2020.

Offences U/Ss. 366(A) of IPC and
5(1) 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. B. Baskar 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.2156/2020 on the file of Perambalur Police Station for the alleged offences U/Ss. 366(A) of IPC and 5(1) r/w 6 of POCSO Act 2012.

2. The case of the prosecution is that this petitioner involved in an offences U/Ss. 366(A) IPC and 5(1) 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. There is no previous case against this Petitioner / Accused. The Accused and the victim had love affair between them, due to victim family inducement this false complaint has been lodged against this Accused. The Victim is nearly aged 18 years. This Hon'ble Court very well known there are several citations regarding the victim age (16-18) whether they are considered as juvenile or major. Already first bail application e.bail.No.776/2020 was dismissed on 18.11.2020 and second bail application e.bail.No.896/2020 was dismissed on 24.11.2020. So far accused is in custody of 44 days. 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. 366(A) of IPC and 5(1) r/w 6 of POCSO Act 2012 and the accused was arrested and remanded only on 12.10.2020. Further it is submitted that strongly objected to the granting of bail to this accused. In this case, the victim has been produced medical examination and a secret confession statement recorded from the victim girl. The investigation has been completed and hence this petition may be dismissed.

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 12.10.2020 for an offence U/Ss. 366(A) of IPC and 5(1) r/w 6 of POCSO Act 2012. The petitioner Counsel stated that he did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case due to enmity. Investigation is completed and the Special Public Prosecutor strongly objected to release the accused.

7. Taking into consideration the facts and circumstances of the case and the period of incarceration by the petitioner from 12.10.2020, 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) along with two sureties each for a like sum to the satisfaction of the Judicial Magistrate -I, Perambalur.

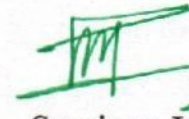
b) that the petitioner shall appear and sign before this Court daily twice viz 10.00 a.m and 5.00 pm until further orders.

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 2nd day of December



 2/12/2020

Sessions Judge,
Mahila Court, Perambalur.

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