

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

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

Tuesday, this the 3rd day of November, 2020.

E. Bail No.790/2020

Baskar,
S/o. Periyasamy,
North Street, Murukkangudi Village,
Kunnam Taluk,
Perambalur District.

... Petitioner/Accused.

-vs-

Inspector of Police,
Mangalamedu Police Station,
Perambalur.
Crime No.1670/2020.

Offences U/Ss. 5(1), 5(j) (ii) r/w 6 of POCSO Act 2012,
9, 10 Prohibition Child Marriage Act 2006,

... Respondent/Complainant.

* * * * *

This petition coming on this day before me for order in the form of e-bail by Thiru. K. Anandan 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.1670/2020 on the file of Mangalamedu Police Station for the alleged offences U/Ss. 5(l), 5(j) (ii) r/w 6 of POCSO Act 2012 and 9, 10 Prohibition Child Marriage Act 2006,

2. The case of the prosecution is that this petitioner involved in an offences U/Ss. 5(l), 5(j) (ii) r/w 6 of POCSO Act 2012 and 9, 10 Prohibition Child Marriage Act 2006. 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 Petitioner / Accused is a farmer and also his father and mother are coolies. The petitioner / Accused no previous case. If the petitioner / Accused is released he will not evade trail and he will not tamper any witness. One bail petition filed on 03.10.2020 and dismissed on 16.10.2020 (Cr.M.P. 717/2020). 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. 5(l), 5(j) (ii) r/w 6 of POCSO Act 2012 and 9, 10 of Prohibition Child Marriage Act 2006 and the accused was arrested and remanded only on 30.09.2020. Further it is submitted that strongly objected to the granting of bail to this accused. The fact that some of the witnesses in this case have to be enquired and a sample draft has to be prepared and legal advice has to be obtained 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 30.09.2020 for an offence U/Ss. 5(l), 5(j) (ii) r/w 6 of POCSO Act 2012 and 9, 10 of Prohibition Child Marriage Act 2006. The submissions made by the prosecution are carefully perused. The prosecution has strongly objected for release of the accused at this initial stage.

7. Taking into consideration the facts and circumstances of the case and the period of incarceration by the petitioner from 30.09.2020, this court is inclined to grant bail to this petitioner subject to the following conditions:

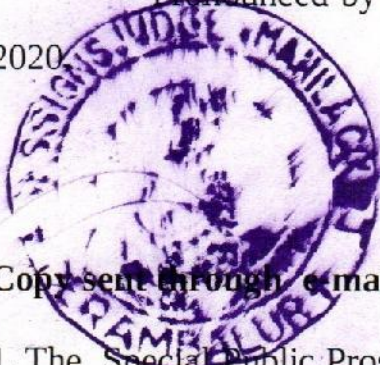
a) that the petitioner is ordered to be released on bail on execution of a bond for Rs.10,000/- (Rupees Ten thousand only) along with two sureties each for a like sum to the satisfaction of the Judicial Magistrate -1, Perambalur.

b) that the petitioner shall appear and sign before this Court on every Monday 10.00 a.m 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 November
2020



[Handwritten signature] 3/11/2020

Sessions Judge,
Mahila Court, Perambalur.

Copy sent through e-mail

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