

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

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

**Thursday, this the 5<sup>th</sup> day of November, 2020.**

**E. Bail No.792/2020**

Dharmadurai, (Age 23/2020), ✓  
S/o. Venugobal, ✓  
Vengalam Village, ✓  
Veppanthatai Taluk, ✓  
Perambalur District. ✓

... Petitioner/Accused.

-vs-

Inspector of Police, ✓  
All Women Police Station, ✓  
Perambalur. ✓  
Crime No.14/2020. ✓

Offences U/Ss. 366(A) IPC, 9, 10 of  
Prohibition Child Marriage Act 2006, ✓  
5(1) r/w 6 of POCSO Act 2012, ✓  
294(b), 323, 506(1) IPC. ✓

... Respondent/Complainant.

\* \* \* \* \*

This petition coming on this day before me for order in the form of e-bail by Thiru.S. Subramaniyan 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.14/2020 on the file of All women Police Station for the alleged offences U/Ss. 366(A) IPC, 9, 10 of Prohibition Child Marriage Act 2006, 5(1) r/w 6 of POCSO Act 2012 & 294(b), 323 and 506(1) IPC.

2. The case of the prosecution is that this petitioner involved in an offences U/Ss. 366(A) IPC, 9, 10 of Prohibition Child Marriage Act 2006, 5(1) r/w 6 of POCSO Act 2012 & 294(b), 323, 506(1) IPC. 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 very poor coolie and agriculturist. In this case A3 and A4 has been released on anticipatory bail on dated 18.09.2020 in E.Bail No. 648/2020 and A2 has been released on bail on dated 12.10.2020 in E.Bail. No.718/2020. The earlier bail petitions were dismissed by this court in E.Bail No.753/2020 dated on 16.10.2020 and E.Bail No.789/2020 dated on 21.10.2020. In this case charge sheet laid. 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) IPC, 9, 10 of Prohibition Child Marriage Act 2006, 5(1) r/w 6 of POCSO Act 2012 & 294(b), 323, 506(1) IPC and the accused was arrested and remanded only on 08.09.2020. Further it is submitted that strongly objected to the granting of bail to this

accused. In this case the investigation has not 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 08.09.2020 for an offence U/Ss. 366(A) IPC, 9, 10 of Prohibition Child Marriage Act 2006, 5(1) r/w 6 of POCSO Act 2012 & 294(b), 323, 506(l) IPC. The petitioner is threatening the victim girl, the witnesses and the victim girl is 16 years old. Investigation is pending and the Special Public Prosecutor strongly objected to release the accused on bail. It would not be proper to release the accused at this stage.

7. Taking into consideration the facts and circumstances of the case and the period of incarceration by the petitioner from 08.09.2020, 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.

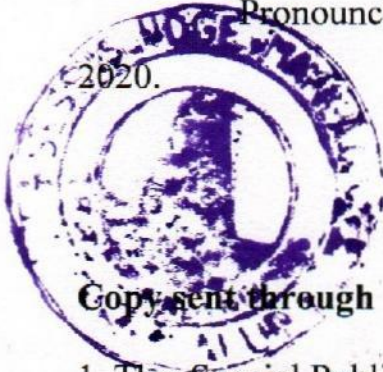
b) that the petitioner shall appear and sign before this Court daily twice viz 10.00 a.m and 5.00 pm until further orders.

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 5<sup>th</sup> day of November

2020.



**Copy sent through e-mail**

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

  
5/11/2020  
Sessions Judge,  
Mahila Court, Perambalur.