



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Monday, the Sixteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.13277 of 2014

M.RATHEESH

..PETITIONER/ACCUSED No.1

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
KULASEKHARAPURAM POLICE STATION,
KANYAKUMARI DISTRICT.
CR.NO.49/2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.PUHAZH GANDHI Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Sole accused, who was arrested on 25.06.2014 for the offence punishable under Sections 366(A) and 376 IPC in Crime No.49 of 2014 on the file of the respondent police, seeks bail.

2. Boycott of Courts pursuant to boycott called by Bar Council of India protesting the murder of an Advocate by police.

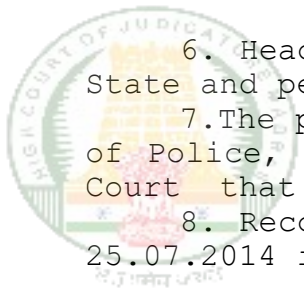
3. It is the case of the prosecution that the petitioner had given false hope to the defacto complainant that he will marry her and thereafter he appears to had physical relationship with her. When she insisted for marriage it is alleged by her that he refused and therefore, a police complaint was given based on which the case in Crime No.49 of 2014 was registered for the aforesaid offences.

4. When the bail application came up for hearing on 25.07.2014, a representation appears to have been made before this Court that the petitioner is ready and willing to marry the defacto complainant. On the strength of the said representation, this Court granted interim bail to the petitioner with the direction to the petitioner and the defacto complainant to appear before the Mediation Centre. Before Mediation centre, the parties appear to have entered into an agreement on 30.01.2015. The terms of which as follows:

Case registered against the petitioner/accused under Sections 366(A) and 376 IPC. Both the victim girl and the petitioner/accused married with the consent of parents. That marriage was also registered before the Marriage Registrar of Thiruvattar, Kanyakumar District on 21.01.2015(Registration Certificate enclosed herein)

By signing this agreement the parties hereto state that they have no further claims or demands against each other with respect of Crl.O.P.(MD) No. 13277 of 2014 and all disputes and differences in this regard have been amicable settled by the parties hereto through the process of Conciliation/ Mediation.

5. Today, when the matter is taken up, the petitioner namely Ratheesh and the defacto complainant namely Jothi D/o Rajappan are present. The respondent police is also present.



6. Head the learned Government Advocate (Crl.side) appearing for the State and perused the materials available on record.

7. The parties were identified by Mr. Mayilappan, Special Sub Inspector of Police, Kulasekaram Police Station. The parties submitted before this Court that they have got married.

8. Recording the same, the bail already granted to the petitioner on 25.07.2014 is made absolute.

sd/-
16/03/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, PADMANABAPURAM.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.

3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL, KANYAKUMARI.

5 THE INSPECTOR OF POLICE, KULASEKHARAPURAM POLICE STATION,
KANYAKUMARI DISTRICT.

+1. CC to M/S. PUHAZH GANDHI Advocate SR.No.12616
ORDER IN
CRL OP(MD) No.13277 of 2014
Date :16/03/2015

PBK 17/03/2015 ::2P-7C: