



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.1378 of 2015

WEB COPY

POTHIRAJA

... PETITIONER/SOLE ACCUSED

Vs

STATE.REP.BY
THE SUB INSPECTOR OF POLICE
IRUKKANKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CR.NO.206/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.PANDIYAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

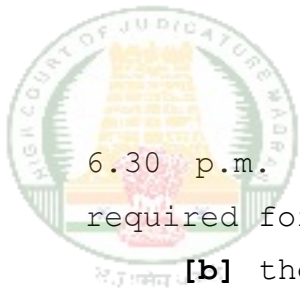
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 20.11.2014 for the offences punishable under Section 366(A) of Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act in Crime No.206 of 2014 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that this petitioner, who is aged about 20 years, was in love with the daughter of the *defacto* complainant, who is a minor aged about 15 years and he eloped with her on 09.11.2014. On the complaint lodged by the parents, the petitioner was arrested on 20.11.2014 and the girl has been secured and the custody of the girl was handed over to her parents. Under such circumstances, this Court is inclined to grant bail to this petitioner.

3. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sattur, Virudhunagar District and on further condition that:

[a] the petitioner shall reside at Nilakkottai and sign before All Women Police Station, Nilakkottai, twice a day daily at 10.30 a.m. and



6.30 p.m. for a period of four weeks and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
28/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
SATTUR,VIRUDHUNAGAR DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE OFFICER INCHARGE,
MELUR JUVENILE PRISON,MADURAI DISTRICT.
- 4 THE SUB INSPECTOR OF POLICE
IRUKKANKUDI POLICE STATION, VIRUDHUNAGAR
DISTRICT.
- 5 THE OFFICER INCHARGE,
NILAKOTTAI ALL WOMEN POLICE STATION,
NILAKOTTAI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.PANDIYAN Advocate SR.No.3754

ORDER
IN
CRL OP(MD) No.1378 of 2015
Date :28/01/2015