



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Eleventh day of February Two Thousand Fifteen

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2152 of 2015

SELVAKUMAR

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
SUCHEENDRAM POLICE STATION,
KANYAKUMARI DIST.
CRIME NO.22/2015

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.V. RAGHAVACHERI 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, who was arrested and remanded to judicial custody on 16.01.2015 for the offences punishable under Sections 417, 376 and 506(i) of Indian Penal Code in Crime No.22 of 2015 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that this petitioner and the *defacto* complainant are singers and they belong to a music party. It is alleged by the *defacto* complainant that the petitioner assured that he will marry her and had physical relationship with her. She has alleged that she conceived once and underwent abortion. This petitioner was arrested on 16.01.2015. Preliminary investigation conducted by the police does not show that the *defacto* complainant had undergone any abortion. The *defacto* complainant is aged about 28 years and she is not a minor girl. It is represented that the victim and the petitioner have also been subjected to medical examination.

3. Under such circumstances, it is a fit case to grant bail to this petitioner. 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.III, Nagercoil, Kanyakumari District and on further condition that:

[a] the petitioner shall report before the respondent police twice a day daily at 10.30 a.m. and 6.30 p.m. for a period of two 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]**.



[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
11/02/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL, KANYAKUMARI DISTRICT.
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI AT NAGERCOIL.
- 3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.
- 4 THE INSPECTOR OF POLICE, SUCHEENDRAM POLICE STATION,
KANYAKUMARI DISTRICT.
- 5 THE OFFICER INCHARGE, SUB JAIL, NAGERCOIL.

+1. CC to M/S.V. RAGHAVACHERI Advocate SR.No.6341

ORDER IN
CRL OP(MD) No.2152 of 2015
Date :11/02/2015

PBK 12/02/2015 ::2P-7C: