



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

Monday, the Twenty Third day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3208 of 2015

GOPAL

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY

THE SUB- INSPECTOR OF POLICE

TENKARAI POLICE STATION, PERIYAKULAM,

THENI DT, CRIME NO.528/2014

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.VELLAICHAMY Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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 28.12.2014, for the offence punishable under Section 366(A) of the Indian Penal Code, in Crime No.528 of 2014, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner was in love with the victim girl and he had eloped with her. On the complaint lodged by the father of the victim girl - the *de facto* complainant, the petitioner was arrested on 28.12.2014 and the girl was secured and handed over to the parents. This petitioner is in custody since 28.12.2014.

3. In such circumstances, this Court is inclined to grant bail to the 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, Periyakulam and on further condition that:

[a] the petitioner shall stay at Theni and report before the Allinagaram Police Station, twice a day daily at 10.30 a.m. And 06.30 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

https://www.myspace.com/indianjudicial/ based down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].



The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
23/02/2015

/ TRUE COPY /

WEB COPY

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

TO

1. THE JUDICIAL MAGISTRATE, PERIYAKULAM.
 2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, THENI.
 3. THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 4. THE OFFICER INCHARGE,
SUB JAIL AT PERIYAKULAM.
 5. THE SUB- INSPECTOR OF POLICE
TENKARAI POLICE STATION, PERIYAKULAM, THENI DISTRICT.
 6. THE OFFICER INCHARGE,
ALLINAGARAM POLICE STATION, THENI.
- +1. CC to M/S.S.VELLAICHAMY Advocate SR.No.8209

ORDER
IN
CRL OP(MD) No.3208 of 2015
Date :23/02/2015

rg.24.02.2015 2p.8c.