



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

Wednesday, the First day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5784 of 2015

KALIDASS

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VADAMADURAI,
DINDIGUL DISTRICT, CRIME NO.16 OF 2014. ... RESPONDENT / COMPLAINANT

For Petitioner : M/S. A.K. ALAGARSAMY Advocate

For Respondent : M/S.P.KANDASAMY 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 27.02.2015, for the offence punishable under Sections 417, 376 and 506(i) of the Indian Penal Code, in Crime No.16 of 2014, on the file of the respondent police, seeks bail.

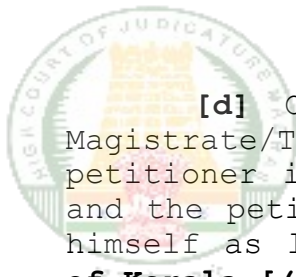
2. The case of the prosecution is that this petitioner had promised the *de facto* complainant that he would marry her and on such promise, he had physical affair with her and thereafter, he had gone back upon his promise. This petitioner was arrested on 27.02.2015. This petitioner and the *de facto* complainant have been subjected to medical examination. The *de facto* complainant is aged about 19 to 20 years, according to the prosecution.

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, Vadachanthur 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]**.

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/-
01/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, VADACHANDTHUR.
- 2 Do - Through THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VADAMADURAI, DINDIGUL DISTRICT.
- 5 THE OFFICER INCHARGE, SUB JAIL, VADACHANDTHUR.

+1. CC to M/S. A.K. ALAGARSAMY Advocate SR.No. 16503.

TS/01.04.2015/2P-7C

ORDER
IN
CRL OP(MD) No.5784 of 2015
Date :01/04/2015