



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

Tuesday, the Twenty Third day of August Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.14795 of 2016

ANTONY VIGNESH

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMESHWARAM,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 2 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

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

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

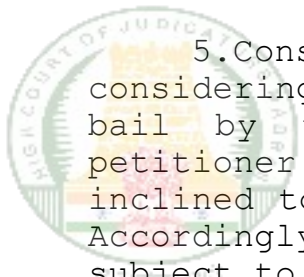
ORDER : The Court Made the following order :-

The petitioner is arrayed as Accused No.1, who was arrested and remanded to judicial custody on 04.07.2016 for the alleged offences punishable under Sections 417, 376, 313 and 506(i) IPC, in Crime No.2 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on promising to marry the defacto complainant, the petitioner had sexual relationship with her and subsequently refused to marry her. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner had physical relationship with the defacto complainant on her consent and now, the petitioner has got a job in Transport Corporation and she is compelling him to marry her. The petitioner is in judicial custody from 04.07.2016.

4.The learned Government Advocate (Crl. side) submitted that on promising to marry the defacto complainant, the petitioner had sexual relationship with her and subsequently refused to marry her.



5. Considering the facts and circumstances of the case and also considering the fact that the co-accused were granted anticipatory bail by this Court in CrI.O.P(MD)No.123123 of 2016 and the petitioner is in judicial custody from 04.07.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner shall execute 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, Rameswaram.
- (ii) the petitioner shall report before the respondent police daily twice at 10.00 a.m. and 05.00 p.m., until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) 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].

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
23/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESWARAM.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
 - 3 THE OFFICER INCHARGE, DISTRICT JAIL, RAMANATHAPURAM DISTRICT.
 - 4 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, RAMESWARAM, RAMANATHAPURAM DISTRICT.
- +1. CC to M/S.R.ALAGUMANI Advocate SR.No.46701.

ORDER
IN
CRL OP(MD) No.14795 of 2016
Date : 23/08/2016