



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

Monday, the First day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.1663 of 2016

POOPATHI VIGNESWARAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
AMMAINAICKANOOR POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 435 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S K.SEEMARAJ Advocate

For Respondent : Mrs.S.Prabha 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 02.12.2015 for the offences punishable under Sections 341, 279, 354(B) and 354(D) I.P.C., and 11(1) & IV r/w 12 of Protection of Children from Sexual Offence Act, in Crime No.435 of 2015, on the file of the respondent police, seeks bail.

2. Heard Mr.K.Seemaraj, learned counsel appearing for the petitioner and Mrs.S.Prabha, learned Government Advocate (Criminal Side) appearing for the State.

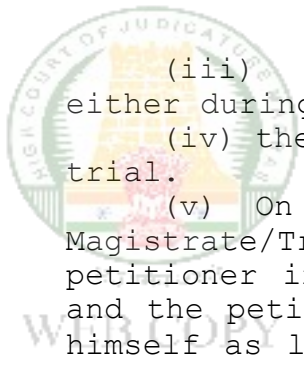
3. It is the case of prosecution that on 02.12.2015, at about 08.30 a.m., when the *de facto* complainant's daughter was going to School, the petitioner herein waylaid and teased her daughter Bavadharani, who is studying 10th standard and threatened her with dire consequences.

4. The learned counsel for the petitioner has submitted that the petitioner has nothing to do with the alleged offences and that the *de facto* complainant and the petitioner are neighbors and relatives.

5. Taking into consideration the nature of allegation, this Court is of the view that this a fit case to grant bail to the petitioner. 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 for a like sum to the satisfaction of the learned Judicial Magistrate, Nilakkottai.

<https://hcservices.courts.gov.in/hcservices/>
The petitioner shall report before the respondent police daily at 06.30 p.m., for a period of two weeks and thereafter as and when required for interrogation.



(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 condition or not.

sd/-
01/02/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, NILAKKOTTAI.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
AMMAINAICKANOOR POLICE STATION, DINDIGUL DISTRICT.
 - 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- +1. CC to M/S K.SEEMARAJ Advocate SR.No.6273.
- TS/02.02.2016/2P-7C/JGB-DP/SARI

ORDER
IN
CRL OP(MD) No.1663 of 2016
Date :01/02/2016