



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

Thursday, the Twenty Eighth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.7260 of 2016

POOMARI

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PARAMAKUDI,
RAMNAD DIST, CR.NO.3/2016 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.MUGUNTHAN Advocate

For Respondent : MR.A.P.BALASUBRAMANI 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 12.03.2016, for the offences punishable under Sections 417 and 376 of IPC, in Crime No.3 of 2016, on the file of the respondent Police, seeks bail.

2. Heard Mr.R. Mugunthan, learned counsel appearing for the petitioner / Accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is the case of the defacto complainant that she had love affair with the petitioner and the petitioner, on promising to marry her, had marital relationship and thereafter, he went back. In such circumstances, the defacto complainant has given a complaint, based on which, a case has been registered and the petitioner was arrested on 12.03.2016 and still he is in custody.

4. Taking into consideration the nature of allegations made against the petitioner, this Court is of the view that this is a fit case to grant bail to the petitioner / Accused. Accordingly, he is ordered to be released on bail, subject to the following conditions:

- (i) the petitioner / Accused 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, Paramakudi.



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(ii) the petitioner / Accused shall report before the respondent Police, daily at 6.30 p.m., until further orders.

(iii) the petitioner / Accused shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner / Accused 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 / Accused in accordance with law as if the conditions have been imposed and the petitioner / Accused 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]**.

5. 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/-

28/04/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PARAMAKUDI, RAMNAD DIST
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE, SUB JAIL, RAMANTHAPURAM.

+1. CC to M/S.M.S.JEYAKARTHIK, Advocate SR.No.24717

ORDER

IN

CRL OP(MD) No.7260 of 2016

Date : 28/04/2016