



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

Wednesday, the Twenty Fifth day of May Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

CRL OP(MD) No.7913 of 2016

K. SENTHIL

... PETITIONER / ACCUSED No.1

Vs

State by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MUSIRI, TIRUCHIRAPPALLI DISTRICT.
IN CRIME NO. 4 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.JEGADEESH PANDIAN Advocate

For Respondent : Mr.A.P.Balasubramani Govt. Advocate (Crl. Side)

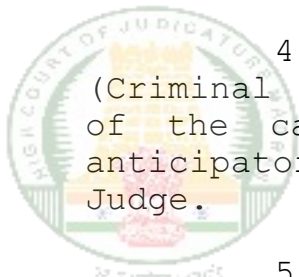
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 01.05.2016 for the offences punishable under Sections 294 (b), 417, 493, 376, 312, 313, 342 and 506(i) of I.P.C. Read with Section 15 of Indian Medical Council Act, 1956, in Crime No.4 of 2016 on the file of the respondent police, filed the present petition seeking bail.

2.The case of the prosecution is that the defacto complainant viz., Ramya and A1 Senthil had love affair and though the petitioner had not disclosed that he is already married, shared the bed with the defacto complainant on many occasions with the promise that he would marry her. Thereafter, the petitioner has forced the victim lady to abort the child with the help of second accused and he forced to her to take pills. Though the defacto complainant delivered a female child, the accused did not accept her and again, forced her to go away and hence, the case has been registered against the petitioner and others.

3.Mr.M.Jegadeesh Pandian, learned counsel appearing for the petitioner has submitted that the allegation levelled against the petitioner are false and motivate. He has also submitted that the petitioner's wife has filed a civil suit against the defacto complainant in O.S.No.108 of 2016 and hence, a false complainant has been given against the petitioner and hence, he prayed for bail to the petitioner.



4.Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State submits that investigation of the case is almost over and the co-accused was granted anticipatory bail by the learned Principal and District Sessions Judge.

5.Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(a)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, Thuraiyur;

(b)the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

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

(d)the petitioner shall not abscond either during investigation or trial.

(e)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]**.

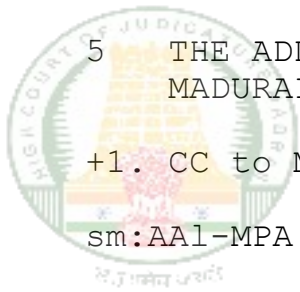
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25/05/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE, THURAIYUR
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MUSIRI, TIRUCHIRAPPALLI DISTRICT.



5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S M.JEGADEESH PANDIAN Advocate SR.No.27145

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ORDER

IN

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Date :25/05/2016