



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

Friday, the Third day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1212 of 2017

POUNRAJ

... PETITIONER/ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KAMUTHI,
RAMNAD DISTRICT,
(CRIME NO. 1 OF 2017.)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate

For Respondent : M/S.P.KANDASAMY
Govt. Advocate (Crl. Side)

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

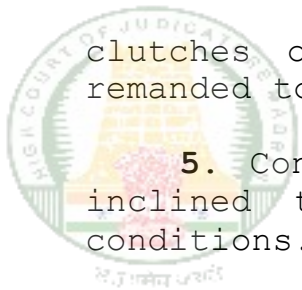
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 21.01.2017, for the offences punishable under Section 452 of IPC., and under Section 8 of Protection of Children from Sexual Offences Act, 2012, in Crime No.1 of 2017, seeks bail.

2. The case of the prosecution is that, when the defacto complainant was alone at her home, the petitioner entered into the house of the defacto complainant and tried to abuse her physically.

3. The learned counsel appearing for the petitioner states that the defacto complainant's family and the petitioner's family are close relatives and the sister of the victim girl wanted to marry the petitioner herein and it was rejected by the petitioner's family and because of the motive, the present complaint has been foisted against the petitioner herein.

4. The learned Government Advocate (crl.side) appearing for the respondent states that the petitioner herein is the sole accused in this case and the victim girl is the defacto complainant and when she was alone at her home, the petitioner entered into the house and tried to abuse her physically, but she resisted and escaped from the



clutches of the petitioner and the petitioner was arrested and remanded to judicial custody on 21.01.2017.

5. Considering the facts and circumstances of the case, I am inclined to grant bail to the petitioner subject to certain conditions.

6. 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, Kamuthi, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders, 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]**.

sd/-
03/02/2017

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

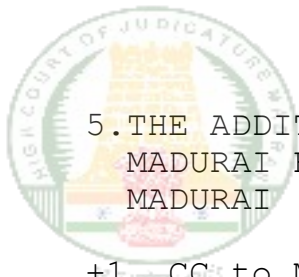
TO

1. THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3. THE OFFICER -IN-CHARGE
SUB JAIL, MUTHUKULATHUR.

4. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KAMUTHI,
RAMNAD DISTRICT,



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

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.6079

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MPK

AE/JM/SAR3/03.02.2017/3P/7C

ORDER

IN

CRL OP (MD) No.1212 of 2017

Date :03/02/2017