



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

Thursday, the Sixth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP (MD) No.3928 of 2017

SENTHILKUMAR @ JAGADEESAN ... PETITIONER/ ACCUSED NO.2

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KULITHALAI,
KARUR DISTRICT.
(CRIME NO.1/2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.DEENADHAYALAN Advocate

For Respondent : M/S K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

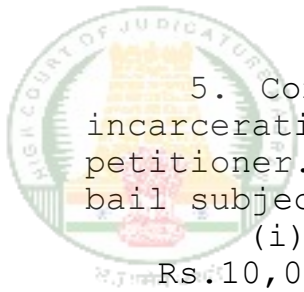
ORDER : The Court Made the following order :-

The petitioner/accused No.2, was arrested and remanded to judicial custody on 05.03.2017 for the offences punishable under Sections 341, 354-B, 323 of I.P.C., and Section 12 of POCSO Act, 2012 in Crime No.1 of 2017 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de-facto complainant and her sister while proceeding to their house after attending the school, this petitioner along with A1 abused the girl for not giving way to the two wheeler and pulled their Dhupatta. Hence, the case was registered under Sections 341, 354-B, 323 of I.P.C., and Section 12 of POCSO Act, 2012.

3. The learned counsel for the petitioner submits that it was a simple road rage. When the de-facto complainant and her associates were riding bicycle in the middle of the road, A1, who was riding the motor cycle blow horn to give way. The petitioner was only the pillion rider. Since the de-facto complainant and her friend did not heed to the request, there was some wordy quarrel which has lead to lodge a false complaint on the next day.

4. The learned Government Advocate (Crl.side) submits that the petitioner is arrayed as A2 and he is not having any previous case and A1 was absconded.



5. Considering the nature of the complaint and the dates of incarceration, 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:

(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 No.I, Kulithalai;

(ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders;

(iii) The petitioner shall not abscond either during investigation or trial;

(iv) on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court.

sd/-

06/04/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, KULITHALAI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,KARUR.

3.THE SUPERINDENT, CENTRAL PRISON, TRICHY.

4.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KULITHALAI,KARUR DISTRICT.

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

+1. CC to M/S.S.DEENADHAYALAN Advocate SR.No.19668

ORDER

IN

CRL OP(MD) No.3928 of 2017

Date :06/04/2017

MS/PM.PN/SAR.4/06.04.2017/2P.7C