



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

Friday, the Twentieth day of January Two Thousand Seventeen
PRESENT

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

CRL OP(MD) No.500 of 2017

WEB COPY

RAVIKUMAR

... PETITIONER / 16TH ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KARAIKUDI,
SIVAGANGAI DISTRICT

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.VINAYAGAM 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 / A16, who was arrested on 01.12.2016 for the offences punishable under Sections 5(1)(i) ITP and 370(A)(5), 373 of IPC and Section 17 of POSCO, 3(1)(w-1, II) 3(ii)(v)(a) of SC / ST (POA) Act r/w 5(1)(1)6 ITP Act and 370 (A)(5), 373 of IPC and 3 r/w 4, 17 of POSCO Act, 2012, 3(1)(w-1, II), 3(ii)(v)(a) of SC / ST (POA) Act in Crime No.21 of 2016 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim minor girl aged about 15 years was sexually harassed by the petitioner and other accused.

3.The learned counsel for the petitioner would submit that the name of the petitioner was not found in the FIR and the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) submitted that the victim girl has given statement before the concerned Judicial Magistrate under Section 164 Cr.P.C.and based on which, the accused were identified during the course of investigation. He further submitted that co accused were enlarged on bail by this Court in Crl.O.P.(MD)Nos.395, 24078, 24179, 24202 and 24203 of 2016 and investigation is almost completed and charge sheet is yet to be filed in this case.



5.Considering the facts and circumstances of the case and considering the fact that investigation is almost completed and co accused were enlarged on bail by this Court, 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 Mahila Court (FTC), Sivagangai;

(ii)the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii)the petitioner shall not tamper with the 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 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 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/-

20/01/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.1)

TO

- 1 THE JUDGE,
MAHILA COURT,
FAST TRACK COURT, SIVAGANGAI.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KARAIKUDI,
SIVAGANGAI DISTRICT
- 3 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.JEYAKARTHIK, Advocate SR.No.3458

ORDER IN

CRL OP(MD) No.500 of 2017

Date :20/01/2017