



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

Thursday, the Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice N.AUTHINATHAN

CRL OP (MD) No.5624 of 2017

AJITH @ AJITHKUMAR

... PETITIONERS /SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SIVAGANGA TOWN POLICE STATION,
SIVAGANGA DISTRICT
CRIME NO.161/2017

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.BALAMURUGANANTHAM 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 10.03.2017 for the offences punishable under Section 294 (b), 366, 506(ii) of I.P.C., @ 294(b), 366, 323, 376 and 506(ii) of I.P.C., in Crime No.161 of 2017 on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

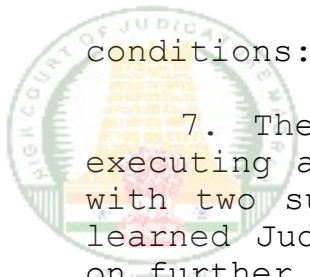
3.The learned counsel for the petitioner submits that the petitioner and the alleged victim girl fell in love and initially, there was some opposition from the family of the victim girl. Subsequently, they decided to give the victim girl in marriage to the petitioner and the petitioner is a student and he has been in custody since 10.03.2017. Hence, he prays for grant of bail.

4.It is represented by the learned Government Advocate (Crl.Side), after getting instructions from the police concerned that the parties have decided to give the victim girl in marriage to the petitioner herein.

5. The victim girl and the father of the victim girl appeared before this Court and the victim girl states that she is aged 20 and they have confirmed that compromise has been reached. The father of the victim girl confirmed that he is willing to give the victim girl in marriage to the petitioner. The petitioner is a college student and he has been in custody for 24 days.

<https://hcservices.ecourts.gov.in/hcservices/>

6. Taking all these factors into consideration, I am inclined to grant bail to the petitioner, subject to the following



conditions:

7. The petitioner is ordered to be released on bail on him 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 No.1, Sivaganga, Sivaganga District and on further conditions that:

[a] the petitioner shall report before the respondent police as and when required 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/-
04/05/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SIVAGANGAI, SIVAGANGAI DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT
- 3 THE INSPECTOR OF POLICE
SIVAGANGA TOWN POLICE STATION,
SIVAGANGA DISTRICT
- 4 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI , MADURAI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.BALAMURUGANANTHAM Advocate SR.No.21889

JAM/04.05.17/KKR/SAR CO/2P-7C