



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.5681 of 2017

JEYAPRAKASH,

... PETITIONER / ACCUSED No.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THENI,
THENI DISTRICT.
(IN CRIME NO.8 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.RANJITH Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

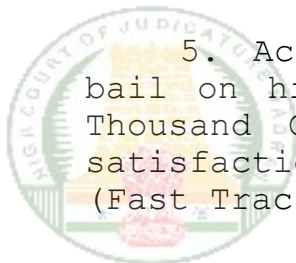
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 27.03.2017 for the offence punishable under Sections 448, 506(i) of IPC and 8 and 12 of POCSO Act, in Crime No.8 of 2017 on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner would submit that both the petitioner and the victim girl aged about 17 years, loved each other. On coming to know about the same, the father of the victim girl opposed the love and therefore, a false complaint has been registered against the petitioner. He would further submit that the petitioner is in custody for more than 45 days and he is an innocent person and he has not committed any offence as alleged by the prosecution.

3. The learned Government Advocate (Crl. Side) would submit that the petitioner and the victim girl are relatives and they are belonging to same community and that after completion of investigation, charge sheet has also been laid.

4. Having regard to the fact that the petitioner is in custody for more than 50 days and that charge sheet has been filed after completion of the investigation and that the antecedent of the petitioner is not reported to be bad, I am inclined to grant bail to this petitioner.



5. 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 Sessions Judge, Mahalir Neethimandram (Fast Track Mahila Court), Theni and on further condition that:

[a] the petitioner shall appear before the concerned Court daily at 10.30 am until further orders.

[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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SESSIONS JUDGE,
MAHILAR NEETHIMANDRAM
(FAST TRACK MAHILA COURT) THENI
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI
- 3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, THENI,
THENI DISTRICT.

+1. CC to M/S.N.RANJITH Advocate SR.No.21879

ORDER

IN

CRL OP(MD) No.5681 of 2017

Date :04/05/2017

SMA/KKR/SAR-4/04.05.2017:2P/5C