



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

Friday, the Twenty Seventh day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.7127 of 2018

VISVANATHAN

... PETITIONER/1ST ACCUSED

Vs

THE INSPECTOR OF POLICE
PAPANASAM POLICE STATION,
THANJAVUR DISTRICT.
CRIME NO.57/2018

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.SIVASUBRAMANIAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as Accused No.1. He was arrested and remanded to judicial custody on 18.03.2018 for the offences under Sections 495, 496, 420, 294(b) and 506(ii) I.P.C., in Crime No.57 of 2018 on the file of the respondent police. He seeks bail.

2.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and prays for bail in favour of the petitioner.

3.The petitioner is said to have suppressed his earlier marriage and married the defacto complainant. The petitioner undertakes through his counsel to pay a sum of Rs.5,000/- per month to the defacto complainant without prejudice to her rights to claim higher relief before any other forum.

4.Recording the undertaking given by the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) The petitioner shall deposit a sum of Rs.5,000/- (Rupees Five thousand only) before the 10th day of every English calendar month, in the bank account of the defacto complainant. The defacto



complainant shall make available of her bank account details. If this deposit condition is breached, it will amount to Contempt of Court and it will also entitle to the cancellation of the order passed in this petition.

(ii) 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 District Munsif cum Judicial Magistrate, Papanasam.

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) 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/-
27/04/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGSTRATE, PAPANASAM
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM
 - 3 THE INSPECTOR OF POLICE
PAPANASAM POLICE STATION, THANJAVUR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- +1. CC to M/S.A.SIVASUBRAMANIAN Advocate SR.No.7508
- GJM/CSL/VK/27.4.18-2P-7C

ORDER
IN
CRL OP(MD) No.7127 of 2018
Date :27/04/2018