



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

Thursday, the Seventh day of June Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.9173 of 2018

M.THIRUMOORTHY

... PETITIONER/ACCUSED No.1

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KUZHITHALAI,
KARUR DISTRICT
CRIME NO.3 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.AL.KANNAN Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU,
Govt. 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 25.04.2018 for the offences punishable under Sections 417 and 376 I.P.C., in Crime No.3 of 2018, on the file of the respondent police. He seeks bail.

2.The petitioner is in custody since 25.04.2018 for offences under Sections 417 and 376 I.P.C. This Court went through the contents of the F.I.R, it is seen that the defacto complainant had only a consensual and physical relationship with the petitioner.

3.Taking note of the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. 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-II, Kuzhithalai.



(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/-
07/06/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE No.II,
KUZHITHALAI, KARUR DISTRICT
 - 2 THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT
 - 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KUZHITHALAI,
KARUR
 - 4 THE SUPERINTENDENT, CENTRAL PRISON,
TRICHY
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- +1. CC to M/S.AL.KANNAN Advocate SR.No.9695

ORDER
IN
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Date :07/06/2018

SMA/PN/GSR/07.06.2018:2P/7C