



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

Saturday, the Twenty Eighth day of April Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.7382 of 2018

SHANMUGAM

... PETITIONERS/SOLE ACCUSED

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE
CHATRAKUDI POLICE STATION
RAMANATHAPURAM DISTRICT.
CRIME NO.46/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. R. BOOMINATHAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner is in custody since 12.04.2018 for the offences under Sections 342 and 307 of I.P.C. in Crime No.46 of 2018 on the file of the respondent Police.

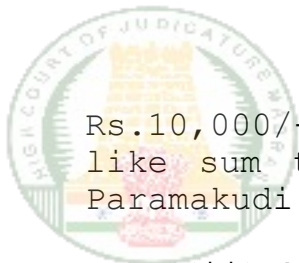
2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl side) appearing for the respondent.

3.The de facto complainant is none other than the petitioner's own daughter. The petitioner's daughter appears to elope with one Kalirajan. The petitioner's daughter is still a minor girl. Therefore, the petitioner took secure on the defacto complainant. While she was in her parental home, she was tortured by the petitioner. Anchored by the same, the de facto complainant is appeared to have been given a false complaint against the petitioner.

4.Therefore, 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;

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

(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, Paramakudi.

(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/-

28/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT
- 2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE
CHATRAKUDI POLICE STATION
RAMANATHAPURAM DISTRICT
- 4 THE OFFICER INCHARGE
DISTRICT JAIL, RAMANATHAPURAM
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S. R. BOOMINATHAN Advocate SR.No.7910

ORDER

IN

CRL OP(MD) No.7382 of 2018

Date :28/04/2018

SMA/PMI/GSR/28.04.2018:2P/7C