



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.7772 of 2018

R.IYYAPPAN

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT.
CRIME NO.13/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.BALAJI Advocate

For Respondent : MR.A.ROBINSON, 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 02.04.2018 for the offences punishable under Sections 376, 451, 406, 294(b) and 506(ii) I.P.C in Crime No.13 of 2018 on the file of the respondent police. He seeks bail.

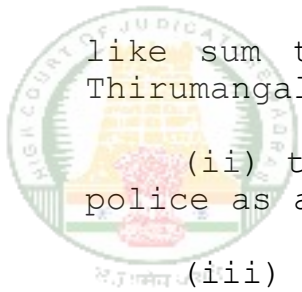
2.This Court, on an earlier occasion, dismissed the bail application filed by the petitioner on the ground that medical examination was not conducted.

3.Now, it is submitted on either side that medical examination has been conducted.

4.A reading of the F.I.R would indicate that the relationship between the parties is rather consensual in nature.

5.Taking note of all these aspects, 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/>
(1) 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, Thirumangalam, Madurai.

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

(iii) the petitioner shall not abscond.

(iv) 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/-
09/05/2018

/ TRUE COPY /

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

PS/SM
TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMANGALAM,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI

+1. CC to M/S.A.BALAJI Advocate SR.No.8404

GJM/PN/ASVM/29.8.18-2P-7C

ORDER
IN
CRL OP(MD) No.7772 of 2018
Date : 09/05/2018