



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

Wednesday, the Sixth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.8983 of 2018

KUMARESAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, PUDUKKOTTAI,
PUDUKKOTTAI DISTRICT, CR.NO.1/2018. ... RESPONDENT / COMPLAINANT

For Petitioner : Mr.B.JAMEEL ARASU Advocate

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

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

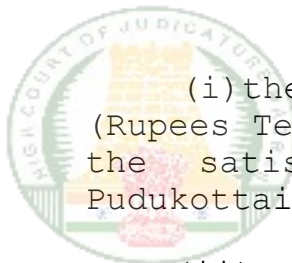
ORDER : The Court Made the following order :-

The petitioner is figuring as accused in Crime No.1 of 2018 on the file of the respondent Police for the offences under Sections 5 (j), (ii) and r/w 6 of Protection of Child from Sexual Offences Act. He seeks bail. The petitioner is in custody since 10.03.2018.

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

3.This Court went through the contents of the First Information Report. It appears to be the case of a consensual physical relationship. It is also seen that even though the occurrence had allegedly taken place in the year August 2017, the First Information Report itself is registered only on 27.02.2018. Final Report has also been filed and also taken on file.

4.Considering 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 Court, Pudukottai.

(ii) 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/-
06/06/2018

/ TRUE COPY /

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

TO

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

+1. CC to Mr.B.JAMEEL ARASU Advocate SR.No.9628.

ORDER
IN
CRL OP (MD) No.8983 of 2018
Date : 06/06/2018