



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

Tuesday, the Thirty First day of July Two Thousand Eighteen

PRESENT

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

CRL OP (MD) No.13471 of 2018

SARAVANAN

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VADAKADU POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.55 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.KAMESWARAN, 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 in judicial custody since 12.06.2018 for the offences punishable under Section 363 I.P.C and Section 11(i) r/w 12 of Protection of Children from Sexual Offences Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006, in Crime No.55 of 2018 on the file of the respondent police. He seeks bail.

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

3.It is seen that the victim and the petitioner are close relatives. The learned counsel for the petitioner, on instruction of the petitioner, submitted that the petitioner intends to marry the victim on her attaining majority. He shall file an affidavit of undertaking to that effect before the Jurisdictional Magistrate, after coming out on bail. Of course, this is subject to the willingness of the girl concerned. The final report has been filed and the investigation is just over in this case.

4.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;



(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 Mahila Court, Pudukkottai.

(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/-
31/07/2018

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

TO

1. THE JUDGE, MAHILA COURT, PUDUKKOTTAI.
2. THE INSPECTOR OF POLICE,
VADAKADU POLICE STATION, PUDUKKOTTAI DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKKOTTAI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.S.KAMESWARAN Advocate SR.No.14467

ORDER
IN
CRL OP(MD) No.13471 of 2018
Date : 31/07/2018

MS/MMS/SAR-4/31.07.2018/2P.6C