



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

Friday, the Thirty First day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15475 of 2018

PRAKASH

... PETITIONER / ACCUSED NP.1

Vs

STATE REP.BY THE
THE INSPECTOR OF POLICE,
KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT.

(IN CRIME NO. 263 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.VADIVELAN 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 21.06.2018 for the offences punishable under Sections 406 and 376 I.P.C. in Crime No.263 of 2018, on the file of the respondent Police. He seeks bail.

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

3.The case of the prosecution is that the *de facto* complainant is aged about 20 years and she is working as a Nurse. She had love affair with the petitioner and the petitioner's family members arranged their marriage. But the parents of the *de facto* complainant refused to give concern to the marriage, due to poverty and caste and also gave a complaint to the respondent Police.

4.The learned counsel appearing for the petitioner would submit that the petitioner is ready to marry the *de facto* complainant. He also undertakes to file an affidavit before the concerned Magistrate to that effect.

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

5.Today, the *de facto* complainant is appeared before this



Court. She stated that she is still in love with the petitioner and she wants to marry him.

6. The said submission is recorded by this Court.

7. Considering the above facts and circumstances and also considering the period of incarceration undergone by the petitioner from 21.06.2018, this Court is inclined to grant bail to the petitioner. 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, Melur.

(ii) the petitioner shall appear before the respondent police for a period of two weeks daily at 10.30 a.m. until further orders and on further condition that the petitioner shall file an undertaking affidavit before the concerned Judicial Magistrate;

sd/-

31/08/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, MELUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE
KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.T.VADIVELAN Advocate SR.No.16648
PS/PN/SAR-4:31/08/2018:2P/7C

ORDER

IN

CRL OP(MD) No.15475 of 2018

Date : 31/08/2018