



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

Wednesday, the Fifth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15626 of 2018

N. SANTHOSH PANDIYAN

... PETITIONER / ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
DEVATHANAMPATTI POLICE STATION,
THENI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.N.KARTHIK KANNA Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 11.08.2018 for the offences punishable under Sections 304(2) IPC and Sections 5 (j) (ii), 6 of POCSO Act, in Crime No.289 of 2018 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The case of the prosecution is that on 06.08.2018, when the deceased suffered with stomach pain, she was taken to hospital by her parents. After that, she delivered a baby and thereafter, she fell down in the bath room, due to which she suffered heavy blood humiliation. Thereafter, she was taken to hospital and the Doctor said she died. She is only aged about 17 years old. Hence, the complaint.

4.The learned counsel for the petitioner would submit that only on suspicion the petitioner has been roped into the case and there is no love affair between the petitioner and the deceased girl. He is no way connected with the defacto complainant and he is not responsible for her pregnancy. Hence, he prays for grant of bail to the petitioner.

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

5.The learned Additional Public Prosecutor submitted that on



enquiry, it found that the petitioner and the deceased girl are fell in love and due to which she got pregnant. On eighth month of pregnancy, she delivered a baby and thereafter, due to blood humiliation, she died.

6. Considering the above facts and circumstances and also considering the period of incarceration of the petitioner, 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, Periyakulam, Theni District.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders;

sd/-
05/09/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
PERIYAKULAM, THENI DISTRICT.
 2. THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
 3. THE INSPECTOR OF POLICE,
DEVATHANAMPATTI POLICE STATION,
THENI DISTRICT.
 4. THE OFFICER INCHARGE,
SUB JAIL, PERIYAKULAM, THENI DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.N.KARTHIK KANNA Advocate SR.No.16949

ORDER
IN
CRL OP(MD) No.15626 of 2018
Date : 05/09/2018