



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

Friday, the Third day of August Two Thousand and Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.13830 of 2018

RAJAGURU

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
(CRIME NO.5 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.P.MUTHUSAMY, 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 custody since 03.07.2018 for the offences under Sections 417 and 376 I.P.C. in Crime No.5 of 2018 on the file of the respondent Police. The victim is now six months pregnant.

2.The learned counsel appearing for the petitioner on instructions submits that if an interim bail is granted to the petitioner, the petitioner would marry the victim girl. The learned counsel for the petitioner further submits that the marriage will be solemnized within a period of four weeks, if the petitioner comes out of an interim bail.

3.Recording the said undertaking given by the learned counsel appearing for the petitioner, interim bail is granted to the petitioner. This Court has a genuine doubt that the petitioner may take this Court for a ride and after marriage, ditch the victim. Interim bail is granted for a period of one year.

4.Call this case on 01.08.2019. This long date is given only to see if the petitioner is really taking proper care of the victim girl. It is made clear that if the petitioner ditches the victim girl after formally marrying for the sake of compliance of the Court orders, appropriate proceedings will be taken against the petitioner apart from cancelling this bail order.



5. Recording the submission of the learned counsel appearing for the petitioner, this Court is inclined to grant interim bail to the petitioner with certain condition. Accordingly, the petitioner is ordered to be released on interim 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 No.I, Ramanathapuram.

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

(iii) 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 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/-

03/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3. THE OFFICER INCHARGE,
DISTRICT JAIL, RAMANATHAPURAM.

4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAMANATHAPURAM.

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

+1. CC to M/S.P.MUTHUSAMY, Advocate, SR.No.14970.

ORDER

IN

CRL OP(MD) No.13830 of 2018

Date : 03/08/2018