



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

Wednesday, the Twentieth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2580 of 2019

K.SOUNDARAJAN

... PETITIONER / ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PERUNALI POLICE STATION,
KAMUTHI TALUK,
RAMANATHAPURAM DISTRICT.
CRIME NO.7/2019

... RESPONDENT / RESPONDENT

For Petitioner : Mr.S.BHARATHI, Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

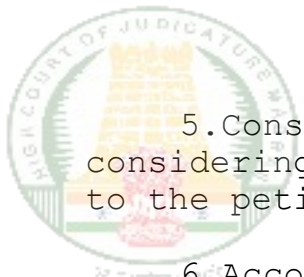
ORDER : The Court Made the following order :-

The petitioner who was arrested for the offence under Section 366 IPC in Cr.No.7 of 2019 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the victim lady is a married woman and her marriage was solemnized in the year 2015 with one Selvam and they have not blessed with children. Thereafter, on 23.01.2019, the petitioner induced the victim woman, accordingly, she went along with him to Nellur Sunday Market and thereafter, she called her husband and thereby she was rescued. Hence, the husband of the victim woman preferred a complaint against the petitioner.

3.The learned counsel appearing for the petitioner would submit the petitioner did not commit any offence as alleged by the prosecution. He would further submit that on own volition, the defacto complainant's wife gone along with the petitioner to Nellur for employment and thereafter, she returned to home. Hence, he would pray for bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that investigation is pending, however, victim lady is secured.



5.Considering the facts and circumstances of the case and considering the age of the victim woman, I am inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate cum Distirct Munsif Court, Kamuthi, and on further condition that:

(a)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner shall not abscond either during investigation or trial;

(e)on breach of any of the aforesaid conditions, the learned 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 learned 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]**; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

20/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTATE CUM DISTRICT MUNSIF,
KAMUTHI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTIRCT.
3. THE OFFICER INCHARGE, SUB JAIL, MUTHUKULATHUR.
4. THE INSPECTOR OF POLICE, PERUNALI POLICE STATION,
KAMUTHI TALUK, RAMANATHAPURAM DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to Mr.S.BHARATHI Advocate SR.No.3444

ORDER IN

CRL OP(MD) No.2580 of 2019

Date :20/02/2019