



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

Wednesday, the Ninth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.382 of 2019

JEYAKUMAR

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.678/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.VENKATESH, 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 was arrested and remanded to judicial custody since 11.12.2018 for the offences punishable under Sections 387 and 506(ii) of IPC in Crime No.678 of 2018, on the file of the respondent police, seek bail.

2. The case of the prosecution is that when the defacto complainant Raja was near the Puliaruvi junction the petitioner herein had shown some photos of girls in his mobile phone and stated that the defacto complainant can have intercourse with them and he would also arrange room for that. By saying so, the petitioner herein took the defacto complainant behind the Esakki Tiger Resorts and demanded Rs.5000/- The defacto complainant is said to have Rs.1000/- only in his pocket, the petitioner took Rs.1000/- from the defacto complainant at knife point.

3. The learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence

4. The learned Government Advocate(Crl.Side) would submit that investigation is pending in this case.



5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is 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 (Common sureties in Crl.O.P(MD) Nos.382/19,362/19 and 383/19) each for a like sum to the satisfaction of the learned Judicial Magistrate, Shengottai, and on further condition that:

[a] The petitioner shall report before the respondent daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

09/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SHENGOTTAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE SUPERINTENDENT,CENTRAL PRISON,
PALAYAMKOTTAI.
4. THE INSPECTOR OF POLICE,
COURTALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.D.VENKATESH Advocate SR.No.516

ORDER IN

CRL OP(MD) No.382 of 2019

Date :09/01/2019