



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

Wednesday, the Tenth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4581 of 2019

RAGHURAMAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGULAM,
TIRUNELVELI DISTRICT.
(CRIME NO.4 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.PON KARTHIKEYAN 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 and remanded into the judicial custody from 06.03.2019 for the offence under Sections 417, 376, 294 (b), 506(i) of IPC, in Cr.No.4 of 2019 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner and the defacto complainant loved each other and the petitioner had physical relationship with the defacto complainant on false promise as to marry her. Thereafter, he refused to marry her. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would further submit that he is ready to marry the victim girl after he released on bail and filed an affidavit before this Court. The relevant paragraph of the affidavit reads as follows:

"In the prison I think over about the relationship between myself and the defacto complainant namely Uma and I have taken decision to marry the defacto complainant by considering my future as well as her future. I prepared to marry the victim girl with the



blessings of both parents on the date fixed by them.
 Therefore, I am filing this affidavit in order to show
 my Will and consent to marry the victim girl."

4. The learned Additional Public Prosecutor appearing for the State would submit that since the petitioner himself has come forward to marry the victim girl and filed the affidavit, he has no objection to entertain this petition.

5. Considering the facts and circumstances of the case and the affidavit filed by the petitioner and considering the period of incarceration, 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, Alangulam 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 marry the victim girl as per the affidavit filed before this Court;

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

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

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

(f) 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;

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

sd/-

10/04/2019

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE
ALANGULAM, TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGULAM, TIRUNELVELI DISTRICT.

4 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI

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

+1. CC to MR.R.PON KARTHIKEYAN Advocate SR.No.6495

ORDER

IN

CRL OP (MD) No.4581 of 2019

Date :10/04/2019

MSI/PN/SAR 2/10.04.2019/3P-7C