



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

Thursday, the Twenty Eighth day of March Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4727 of 2019

CHANDRASEKAR

... PETITIONER / ACCUSED NO.2

Vs

STATE REP. BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
LALGUDI, TRICHY DISTRICT.  
CRIME NO.4 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.MADHU Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,  
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to Judicial custody on 19.03.2019, for the alleged offence punishable under Sections 417, 420, 328, 376(i), 294(b) and 506(i) of IPC in Crime No. 4 of 2019, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the first accused and the defacto complainant loved each other, under the pretext of marriage and from the year 2010, the defacto complainant had physical contact with the first accused and the said contact was known to other accused also. Now the first accused refused to marry the defacto complainant. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he is innocent. He would also submit that the first accused undertakes to marry the defacto complainant. Hence he would pray for bail.

4.The learned Government Advocate(Crl.Side) appearing for respondent would submit that co- accused in this case were granted anticipatory bail by this Court. He would also submit that the petitioner was charged for offence under Section 294(b) of IPC only.



5. Considering the nature of the case and considering the period of incarceration and also considering the fact that co-accused were released on bail, I am inclined to grant bail to the petitioner. 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, Lalgudi 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/-

28/03/2019

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

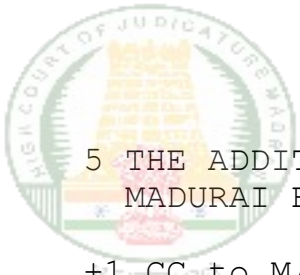
TO

1 THE JUDICIAL MAGISTRATE,  
LALGUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TRICHY.

3 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
LALGUDI, TRICHY DISTRICT.

4 THE SUPERINTENDENT,  
CENTRAL PRISON,  
TRICHY.



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

+1 CC to M/s.J.MADHU, Advocate ( SR-5683[I] dated 28/03/2019 )

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ORDER

IN

CRL OP(MD) No.4727 of 2019

Date :28/03/2019

JM/VR/SAR 4/28.03.2019/3P/7C