



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

Friday, the Eleventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.655 of 2019

K.SURESH

... PETITIONER/ 1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, LALGUDI,
TRICHY DISTRICT.
Crime No.11 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.T.LENIN KUMAR Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

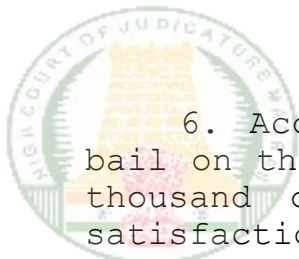
The petitioner was arrested and remanded to judicial custody since 18.12.2018 for the offences punishable under Sections 294(b), 417, 420, 376 and 506(i) of IPC in Crime No.11 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant loved each other and visited several places on several occasions. By promising to marry the defacto complainant the petitioner herein had sexual intercourse with her.

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

4. The learned Government Advocate(Crl.Side) would submit that the co- accused in this case was granted anticipatory bail by this Court in Crl.O.P(MD) No.22676 of 2018.

5. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner and also the fact that co -accused were granted anticipatory bail , this Court is inclined to grant bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail on their executing 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, Lalgudi and on further condition that:

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

[b] the petitione 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/-
11/01/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE, LALGUDI.

2.THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

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

4.THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI.

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

+1. CC to Mr.T.LENIN KUMAR Advocate SR.No.705

ORDER IN
CRL OP(MD) No.655 of 2019
Date :11/01/2019