



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

Date : 26/06/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.8958 of 2019

1. Sankara Ramasubbu

2. Selvam ... Petitioners/Accused Nos.2 & 3

Vs

State Rep.by

The Inspector of Police,

All Women Police Station,

Aruppukottai, Virudhunagar District.

(Crime No.14 of 2019).

... Respondent/Complainant

For Petitioner : M/s.N.Anandakumar, Advocate.

For Respondent : Mr.V.Neelakandan,

Additional Public Prosecutor.

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

PRAYER :-

For Bail in Crime No.14 of 2019 on the file of the respondent Police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioner/ Accused No. 2 & 3 seeking bail for the alleged offence under Sections 417, 376, 294 (b) and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment Women Act, in Crime No.14 of 2019.

2. Heard both sides

3. The learned counsel for the petitioners would submit that as per the F.I.R, the first accused made a false promise of getting marriage with the defacto-complainant and had sexual relationship with her and later refused to marry her. He would further submit that the petitioners are only parents of A1 and they are innocent persons and they are falsely implicated in this case. He would further submit that the petitioners herein were arrested and remanded to judicial custody on 13.06.2019 and they are in custody for the past 13 days. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioners are parents of A1. Hence he strongly opposed to



grant bail to the petitioners. However, he fairly conceded that there is no serious allegations made against the petitioners.

5. Taking into consideration all the allegations made only against A1 and also the fact that the petitioner is in custody for the past 13 days and also considering the fact that there is no specific overt act against the petitioners, this Court is inclined to grant bail to the petitioners by imposing conditions:

[a] the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Aruppukottai.

[b] the petitioners shall report before the Respondent Police, daily at 10.30 A.M for a period of One Month and thereafter, as and when required for the interrogation.

[c] the petitioners shall not abscond either during investigation or trail.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trail.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

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

sd/-

26/06/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILIPUTTUR.
 3. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
 4. THE SUPERINTENDENT, CENTRAL PRISON FOR WOMEN, MADURAI.
 5. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
 6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.AKKINI THEVER, Advocate SR.No.10519

ORDER IN

CRL OP(MD) No.8958 of 2019

Date : 26/06/2019