



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/08/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.11036 of 2019

K.Akalayapradhan

... Petitioner/Accused No.1

Vs

The State rep by
The Inspector of Police,
Kattuputhur Police Station,
Trichy District.
Crime No.54 of 2019

... Respondent/Complainant

For Petitioner : M/s.R.Maheswaran,
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.54 of 2019 on the file of the respondent Police

ORDER : The Court Made the following order :-

The petition has been filed by Accused No.1 seeking bail for the alleged offence punishable under Sections 366 and 368 of IPC, in Crime No.54 of 2019.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the petitioner is aged about 21 years and the victim girl is aged about 19 years and they fell in love and got married. He further submitted that the defacto complainant did not like the said marriage, she has lodged a false complaint belatedly after two months. He further submitted that already the victim girl was secured and now she is with her parents and already A2 was arrested and subsequently, released on bail. He further submitted that the petitioner is in custody from 10.07.2019 and therefore, he prayed to grant bail to the petitioner.



4.The learned Additional Public Prosecutor appearing for the respondent has fairly submitted that the victim girl is a major and the the victim girl and the petitioner fell in love and they got married. He also conceded that the victim girl was secured and now she is with her parents.

5.Taking into consideration of the aforesaid fact and also the fact that the petitioner is in custody for the past 27 days and by this time, a major portion of the investigation might have been completed, this Court is inclined to grant bail to the petitioner by imposing conditions.

[a]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 Court, Musiri.

[b]the petitioner shall report before the respondent police daily at 10.00.a.m for a period of one month and thereafter, as and when required for the interrogation.

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

[d]the petitioner shall not tamper with evidence or witness 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 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.

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sd/-
06/08/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE,
MUSIRI

2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3. THE INSPECTOR OF POLICE,
KATTUPUTHUR POLICE STATION,
TRICHY DISTRICT.

4. THE OFFICER INCHARGE,
SUB-JAIL, MUSIRI.

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

+1. CC to Mr.R.MAHESWARAN Advocate SR.No.12958

ORDER

IN

CRL OP(MD) No.11036 of 2019

Date : 06/08/2019

dss

TK/VR/SAR.1/06.08.2019/3P/7C