BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/09/2019
PRESENT
The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.11543 of 2019

Subasankar ... Petitioner/Accused Rank not known

Vs

The State rep.by
The Inspector of Police,
Theni Police Station,
Theni District.
(In Crime No.448/2019). ... Respondent/Complainant

For Petitioner : M/s.S.Krishnan,
Advocate.

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.448 of 2019 on the file of the respondent.

ORDER : The Court Made the following order :-

The petitioner is in custody since 26.06.2019, for the offence under Section 4 of Protection of Children from Sexual Offences Act.

2.The age of the petitioner is said to be 19 years and the petitioner and the victim are said to be relatives. The petitioner's counsel states that there was a love affair between the petitioner and the victim.

3.Taking note of the over all circumstances and the age of the petitioner, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

[a] 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 each for a like sum to the satisfaction of the Fast Track Court/Mahila Court, Theni.

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[b] the petitioner shall report before the respondent police 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 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].

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

sd/-
05/09/2019

/ TRUE COPY /

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

TO

1 THE JUDGE,
FAST TRACK COURT/MAHILA COURT, THENI

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE
THENI POLICE STATION, THENI DISTRICT.

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

+1 CC to M/s.S.KRISHNAN, Advocate (SR-14828[I] dated 05/09/2019)

ORDER IN
CRL OP(MD) No.11543 of 2019
Date :05/09/2019

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