

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.11679 of 2019

Udhayakumar

... Petitioner/Sole Accused

Vs

State,
rep.by Inspector of Police,
All Women Police Station,
Theni
(Crime No.340 of 2019).

... Respondent/Complainant

For Petitioner : M/s.K.Srinivasaragavan,
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. 340 of 2019 on the file of the
Respondent Police.

ORDER : The Court Made the following order :-

The petitioner is in custody since 12.06.2019, for the offence
under Section 6 of Protection of Children from Sexual Offences Act,
2012.

2.The petitioner is aged about 23 years and the victim is also
attained the age of majority. It is submitted that both were in love
with each other.

3.The learned Government Advocate (Crl. Side) submitted that
the investigation is over and the final report has been filed and
the same is also taken on file in Spl.S.C.No.56 of 2019.

4.Taking note of the facts and circumstances of the case, 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 Sessions Judge/Mahila Fast Track Court, Theni.

[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

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

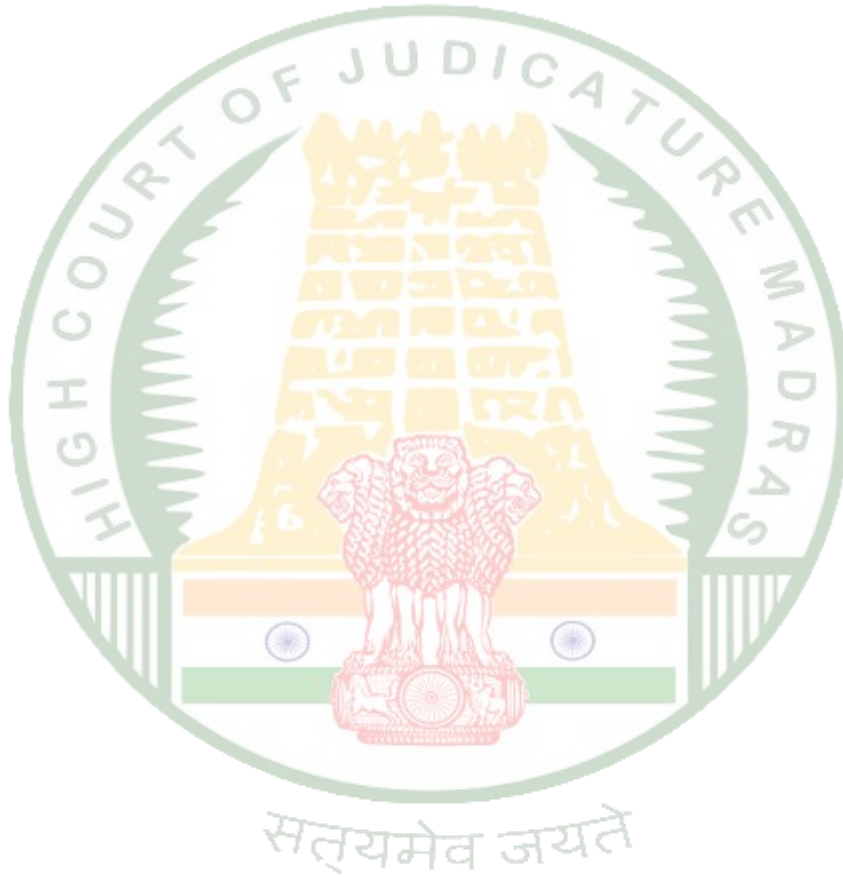
TO

- 1 THE SESSION JUDGE,
MAHILA FAST TRACK COURT,
THENI
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, PERIYAKULAM.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THENI
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,

+1 CC to M/s.K.SRINIVASARAGAVAN, Advocate
(SR-14811[I] dated 05/09/2019)

ORDER
IN
CRL OP(MD) No.11679 of 2019
Date :05/09/2019

IAS
ES/PN/SAR 1/05.09.2019/3P/7C



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