



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/09/2019

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PRESENT

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

CRL OP(MD) . No.11988 of 2019

Prasanth, ... Petitioner/Accused No.2

Vs

State Rep. By
The Inspector of Police,
All Women Police Station, Bodi Theni District
in Cr. No. 5 of 2019. ... Respondent/Complainant

For Petitioner : M/s. A. Muralikumar,
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. 5 of 2019 on the file of the Respondent Police.

ORDER : The Court Made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

2.The petitioner is figuring as second accused in Crime No.5 of 2019 registered on the file of the respondent for the offences under Sections 9, 10, 11 of Child Prohibition Act and Section 12 of POSCO Act and 506(i) of IPC. He seeks bail.

3.He participated in a child marriage. A1 is the mother of the victim, while the petitioner is said to be having illicit intimacy with A1. Apart from this, no other role is attributed to the petitioner.



4.It is seen that some of the co-accused were granted anticipatory bail by this Court in Crl.O.P.(MD)No.8022 of 2019,dated 02.07.2019. The petitioner is in custody since 16.07.2019.

5.Taking note of these aspects, I am inclined to grant bail to the petitioner. Accordingly, he is enlarged on bail subject to the following conditions:-

(i) the petitioner shall execute 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 Fast Track Mahila Court, Theni.

(ii)the petitioner shall appear before the respondent police as and when required for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

[v] 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].

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

sd/-
04/09/2019

/ TRUE COPY /

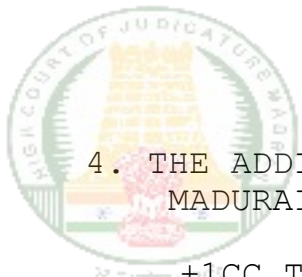
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE FAST TRACK MAHILA COURT, THENI.

2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, BODI
THENI DISTRICT

3. THE SUPERINTENDENT CENTRAL PRISON, MADURAI.



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

+1CC TO MR.A.MURALI KUMAR, Advocate Sr. No. 14769

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ORDER

IN

CRL OP(MD) No.11988 of 2019

Date : 04/09/2019

TR/PN/SAR-III (04.09.2019) 3P 6C