



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 05/09/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.12368 of 2019

Thiruppathi,

... Petitioner/Sole Accused

Vs

State rep by  
The Inspector of Police,  
Bodi Town Police Station,  
Theni District (Crime No.630 of 2019).

... Respondent/Complainant

For Petitioner : M/s. P. Senguttuarasan,  
Advocate.

For Respondent : 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.630 of 2019 on the file of the Respondent Police

ORDER : The Court Made the following order :-

The petitioner is in custody since 23.07.2019, for the offences under Section 366 of I.P.C. and Section 10 of Protection of Children from Sexual Offences Act.

2.The petitioner is aged about 22 years while the victim is 16 years. There is said to be love affair between two. The victim has been rescued and her statement has also been recorded under Section 164 of Cr.P.C. The victim's statement is in favour of the petitioner.

3.The learned Government Advocate (Crl. Side) submitted that the investigation is over.

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 Judicial Magistrate, Bodinayakkanur.

[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. Judicial Magistrate, Bodinayakkanur.
2. Do-Through The Chief Judicial Magistrate,  
Theni District.
3. The Officer Incharge, District Prison, Theni.



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4. The Inspector of Police,  
Bodi Town Police Station,  
Theni District .

5. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.P.SENGUTTARASAN, Advocate Sr. No. 14815

ORDER

IN

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TR/PN/SAR-I (05.09.2019) 3P 7C