



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2019

WEB COPY

PRESENT

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

CRL OP(MD) . No.12646 of 2019

Ajith,

... Petitioner/Accused No.1

Vs

State Rep. By
The Inspector of Police,
All Women Police Station, Odaipatti,
Theni District (Cr.No.117/2019).

... Respondent/Complainant

For Petitioner : M/s. P. Senguttuarasan,
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.117 of 2019 on the file of the respondent.
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 in custody since 28.07.2019 for the
offences punishable under sections 6 and 17 of POSCO Act, 2012 and
Section 9 and 10 of Prohibition of Child marriage Act, 2006 in Crime
No.117 of 2019 on the file of the respondent police. He seeks bail.

3. Taking note of the facts and circumstances of this case, I
am 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;

(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 Judicial Magistrate,
Uthamapalayam.



(ii) the petitioner is directed to appear before the respondent police as and when required for the 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/-

12/09/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, ODAIPATTI,
THENI DISTRICT
4. THE OFFICER INCHARGE,
DISTRICT PRISON,
THENI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC TO MR.P.SENGUTTUARASAN, Advocate Sr. No. 15246

ORDER

IN

CRL OP(MD) No.12646 of 2019

Date : 12/09/2019

TR/PN/SAR-III (12.09.2019) 2P 7C

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