



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 16/09/2019

PRESENT

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

CRL OP(MD). No.12793 of 2019

WEB COPY

Balamurugan

... Petitioner/Accused No.5

Vs

State,
rep.by Inspector of Police,
Bodi Taluk Police Station,
Theni District.
(Crime No. 382/2019).

... 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. 382 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 arrayed as accused No.5. He was arrested and remanded to Judicial Custody since 30.07.2019 for the offences punishable under sections 9, 10 and 11 of the Child Marriage Act and Section 12 of POCSO Act 2012, in Crime No.382 of 2019 on the file of the respondent police. He seeks bail.

3. Considering 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 Judicial Magistrate, Bodinayakanur.



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

(iii) 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].

sd/-
16/09/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
BODINAYAKKANUR.
- 2 -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, K.VILAKKU,
THENI DISTRICT.
- 4 THE INSPECTOR OF POLICE
BODI TALUK POLICE STATION,
THENI DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.SENGUTTUARASAN, Advocate(SR-15454[I]dated 16/09/2019)

ORDER
IN
CRL OP(MD) No.12793 of 2019
Date :16/09/2019

PMU
ES/PN/SAR 1/16.09.2019/2P/7C