



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/09/2019

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PRESENT

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

CRL OP (MD) . No.13314 of 2019

Manisankar, ... Petitioner/Accused No.1

Vs

The State Rep by
The Inspector of Police,
All Women Police Station, Aurppukottai,
Virudhunagar District
(Crime No.14 of 2019). ... Respondent/Complainant

For Petitioner : M/s. N. Anandakumar,
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.14 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 arrayed as accused No.1. He was arrested and remanded to Judicial Custody on 13.06.2019, for the offences punishable under Sections 417, 376, 294(b) and 506(1) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment Women Act, in Crime No.14 of 2019, on the file of the respondent police. He seeks bail.

3.The victim in her statement under Section 164 of Cr.P.C., had specifically claimed that she conceived, as a result of the physical
<https://hccs.cad.madras.gov.in/cse/bjct/> sexual intercourse between the petitioner and herself. The claim of the



pregnancy is denied by the petitioner.

4.Today when the matter is taken up for hearing, this Court posed the specific question of the learned Government Advocate (Crl. side), the learned Government Advocate (Crl. side) on instructions of the concerned Sub-Inspector of Police, namely, Mrs.N.Vahuladevi, states that the victim was found to be not pregnant.

5.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 Judicial Magistrate, Aruppukottai.

(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/-
25/09/2019

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

TO

1. Judicial Magistrate, Aruppukottai.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.
3. The Superintendent, Central Prison, Madurai.
4. The Inspector of Police,
All Women Police Station, Aurppukottai,
Virudhunagar District.



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

+1CC TO MR.A.KUTTIJEGAN, Advocate Sr. No. 16291

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ORDER
IN
CRL OP (MD) No.13314 of 2019

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