



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

Date : 25/09/2019

PRESENT

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

CRL OP(MD). No.13364 of 2019

Pandikumar

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Kadayanallur Police Station,
Tirunelveli District
(Crime No. 281 of 2019).

... Respondent/Complainant

For Petitioner : M/s.S.Sivakumar,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.281 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 was arrested and remanded to Judicial Custody on 22.07.2019 for the offences punishable under sections 366 and 376 (3) of I.P.C. and Sections 6 r/w 5(I) of Protection of Children from Sexual Offences Act 2012 in Crime No.281 of 2019 on the file of the respondent police. He seeks bail.

3. I went through the contents of the statement recorded under Section 164 of Cr.P.C. The relationship between the parties appears to be consensual in nature. The petitioner through his counsel gives an undertaking that he will wait till the victim attains majority and thereafter, he will get married to her, if she is still willing



4. Recording the said undertaking, 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, Tenkasi, Tirunelveli District.

(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

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
TENKASI, TIRUNELVELI DISTRICT.

2 -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE SUPERINTENDENT,CENTRAL PRISON, PALAYAMKOTTAI.

4 THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION, TIRUNELVELI DISTRICT

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

+1. CC to M/S.S.SIVAKUMAR Advocate SR.No.16346

ORDER
IN
CRL OP(MD) No.13364 of 2019
Date :25/09/2019

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