



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

Date : 09/01/2020

PRESENT

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

CRL OP(MD). No.342 of 2020

SHABU

... PETITIONER/ACCUSED NO.1

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MARTHANDAM.
(CRIME NO.49/2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s. A.Johnstephen,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 49/2019 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 in custody since 28.10.2019, for the offences under Sections 366 and 451 of I.P.C. and Sections 5(1) and 6 r/w. Section 17 of Protection of Children from Sexual Offences Act, in Crime No.49 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. It appears to be a case of consensual love affair. The victim has since been secured and she is with her parents.

4. In view of the above, 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



(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 Fast Track Mahila Court, Kanyakumari at Nagercoil.

(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/-
09/01/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDGE,
FAST TRACK MAHILA COURT,
KANYAKUARI AT NAGERCOIL.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, MARTHANDAM.
- 3 THE OFFICER INCHARGE,
SUB JAIL, NAGERCOIL.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.JOHN STEPHEN, Advocate (SR-487[I] dated 09/01/2020)

ORDER
IN
CRL OP(MD) No.342 of 2020
Date :09/01/2020

IAS
JM/VR/SAR 1/09.01.2020/2P/6C