



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

Date : 24/01/2020

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PRESENT

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

CRL OP(MD) . No.1107 of 2020

KALAISELVAN @ CHINNAVAN

... PETITIONER/ACCUSED NO.1

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
KURUMBUR POLICE STATION,
THOOTHUKUDI DISTRICT ,
CRIME NO.126 OF 2019.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.P.Ganesan,
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.126 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 in custody 27.12.2019 for the offence under Section 66E of Information and Technology Act, Sections 294(b) and 506(ii) of I.P.C. and Section 4 of Tamilnadu Prohibition of Harassment of Women Act in Crime No.126 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. I had granted relief to the co-accused in the following terms:-

"The petitioner, after coming out on bail, undertakes to execute an affidavit of apology, in which, he will not only express



his sense of shame and regret for what he has done but also undertake that he will not repeat this act in future. Of-course, execution of such affidavit of apology will not be put against the petitioner in trial.

4. The petitioner's counsel on instructions states that the petitioner will also do likewise.

5. 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 Judicial Magistrate, Srivaikundam.

(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/-
24/01/2020

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

TO

1 THE JUDICIAL MAGISTRATE,
SRIVAİKUNDAM.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION,
THOOTHUKUDI DISTRICT.

4 THE OFFICER INCHARGE,
PERURANI DISTRICT JAIL,
THOOTHUKUDI DISTRICT.



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

+1 CC to M/s.P.GANESAN, Advocate (SR-1350[I] dated 24/01/2020)

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ORDER

IN

CRL OP(MD) No.1107 of 2020

Date :24/01/2020

IAS

JM/VR/SAR 3/24.01.2020/3P/7C