



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

Date : 29/01/2020

PRESENT

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

CRL OP(MD) . No.1454 of 2020

RAHUL ... PETITIONER/SOLE ACCUSED

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
CUMBAM NORTH POLICE STATION,
THENI DISTRICT,
CRIME NO.461 OF 2019. ... RESPONDENT/COMPLAINANT

For Petitioner : M/s.J.Vishnu,
Advocate.
For Respondent : Ms.M.Ananthadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.461 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 since 14.01.2020 for the offences punishable under section Girl Missing @ 366 of I.P.C., and Section 6 of Protection of Child From Sexual Offences Act, 2012, in Crime No.461 of 2019 on the file of the respondent police. He seeks bail.

3. The victim has been rescued. Her statements indicates that she was having a consensual love affair with the petitioner.

4.The fact remains that the victim is a minor. Taking note of the overall facts and circumstances, I am inclined to grant relief. Hence, bail is granted. The petitioner is directed to appear before the respondent police daily at 06.00 p.m., till the final report is



5.The petitioner's counsel gives an undertaking that the petitioner will not apply for modification or relaxation of this condition.

6. 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 Mahila Fast Track Court, Theni District.

(ii) the petitioner is directed to appear before the respondent police daily at 06.00 p.m., till the final report is filed.

(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/-
29/01/2020

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

TO

- 1 THE JUDGE,
MAHILA FAST TRACK COURT,
THENI DISTRICT.
- 2 THE INSPECTOR OF POLICE
CUMBAM NORTH POLICE STATION,
THENI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT JAIL, THENI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.VISHNU, Advocate (SR-1780[I] dated 29/01/2020)

ORDER
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Date :29/01/2020

RMI
JM/PN/SAR 2/29.01.2020/2P/6C

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