



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

Date : 10/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.1600 of 2020

Ramachandran

... Petitioner/Accused

Vs

The State rep.by
The Inspector of Police,
Allinagaram Police Station,
Theni District.
Crime No.25 of 2020

... Respondent/Complainant

For Petitioner : M/s.A.Uthayakumar, 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.25 of 2020 on the file of the respondent police

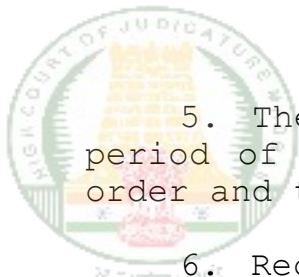
ORDER : The Court made the following order :-

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 11.01.2020 for the offences under Section 11(1), 11(4), 11(6) and 12 of Protection of Children from Sexual Offences Act, 2012 in Crime No.25 of 2020 on the file of the respondent police. Hence, he seeks bail.

3. The petitioner is a married person with two children. The petitioner is said to have misbehaved with the victim causing her serious depression. In fact the victim made an attempt to commit suicide. The petitioner's counsel on instructions gives an undertaking that the petitioner will totally keep off from the victim hereafter. If this undertaking is breached, this Court will not hesitate to cancel the bail now granted.

4. The petitioner's counsel gives a further undertaking that the petitioner will appear before the respondent police daily at 07.00 p.m. till the trial is over and he will not apply for modification or relaxation of the said condition.



5. The respondent is directed to file final report within a period of eight weeks from the date of receipt of a copy of this order and the Jurisdictional Court shall expedite the trial.

6. Recording the said undertakings, 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 District and Sessions Mahila Court, Theni.

(ii) the petitioner is directed to appear before the respondent police daily at 07.00 p.m. till the trial is over and thereafter 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/-
10/02/2020

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

TO

- 1.THE DISTRICT AND SESSIONS MAHILA COURT, THENI.
- 2.THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION, THENI DISTRICT.
- 3.THE OFFICER INCHARGE
SUB JAIL, PERIYAKULAM, THENI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.2646

ORDER
IN
CRL OP(MD) No.1600 of 2020
Date :10/02/2020

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<https://hccrvtce.org.in/Record/2020/2P/6C>