



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/02/2020

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PRESENT

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

CRL OP(MD) . No.2061 of 2020

Chinnappa

... Petitioner/Accused No.1

Vs

State rep.by
The Deputy Superintendent Of Police,
CBCID, Trichy Region, Trichy.
Crime No.11 of 2018
(All Women Police Station,
Kumbakonam)

... Respondent/Complainant

For Petitioner : M/s.P.Venkatesan,
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.11 of 2018 on the file of the respondent police.

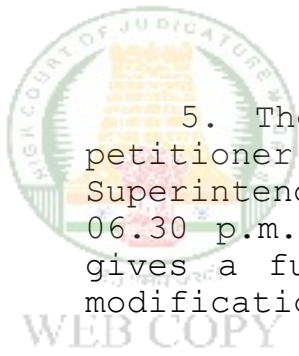
ORDER : The Court made the following order :-

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 09.11.2018 for the offences under Sections 366 and 376 of I.P.C. @ into Section 366(N), 376(j), 376(2) (m) and 376(d) of I.P.C. in Crime No.11 of 2018 on the file of the respondent police. Hence, he seeks bail.

3. Co-accused had been granted bail vide order dated 29.01.2020 in Crl.O.P.(MD)No.17315 of 2019. I am of the view that the continued incarceration of the petitioner is not necessary.

4. The learned Government Advocate (Crl. Side) states that the respondent will complete the investigation and file final report within a period of two months.



5. The petitioner's counsel on instructions states that the petitioner will stay at Trichy and appear before the Deputy Superintendent of Police, CBCID, Trichy daily at 10.00 a.m., and 06.30 p.m., for a period of two months. The petitioner's counsel gives a further undertaking that he will not file a petition for modification or relaxation of the said condition.

6. Subject to these conditions, 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 No.I, Kumbakonam.

(ii) the petitioner is directed to appear before the Deputy Superintendent of Police, CBCID, Trichy daily at 10.00 a.m., and 06.30 p.m., for a period of two months and thereafter 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].

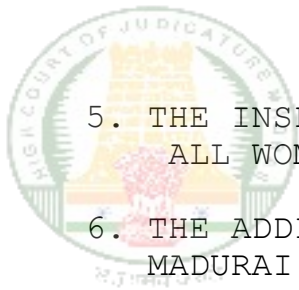
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20/02/2020

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

TO

1. THE JUDICIAL MAGISTRATE NO.I, KUMBAKONAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.
4. THE DEPUTY SUPERINTENDENT OF POLICE,
CBCID, TRICHY REGION, TRICHY.



5. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KUMBAKONAM.

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

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+1 CC to M/s.P.VENKATESAN, Advocate (SR-3581[I] dated 20/02/2020)

ORDER

IN

CRL OP(MD) No.2061 of 2020

Date :20/02/2020

MS/PN/SAR-2/20.02.2020/2P.8C