



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

Date : 11/02/2020

PRESENT

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

CRL OP(MD) . No.2371 of 2020

Sivaraja

... Petitioner/Sole Accused

Vs

The State rep.by
The Sub Inspector of Police,
Chekkanurani Police Station,
Madurai District.
Crime No.568/2019.

... Respondent/Complainant

For Petitioner : M/s.S.Mahendrapathy,
Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for bail in Crime No. 568 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 03.01.2020 for the offences under Section 366 of I.P.C. and Section 7 r/w. 8 of Protection of Children from Sexual Offences Act, 2012 in Crime No.568 of 2019, on the file of the respondent police. Hence, he seeks bail.

3. I went through the statement of the victim recorded under Section 164 of Cr.P.C. It appears to be more case of elopement and not a case of abduction.

4. In view of the consensual nature of relationship, 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 Sessions Court, Mahalir Neethimandram, Madurai.

(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/-
11/02/2020

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

TO

- 1.THE SESSION JUDGE,
MAHALIR NEETHIMANDRAM MADURAI.
 - 2.THE SUB INSPECTOR OF POLICE,
CHEKKANURANI POLICE STATION,
MADURAI DISTRICT.
 - 3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.2856

ORDER
IN
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Date :11/02/2020

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TK/VR/SAR.1/11.02.2020/2P/6C