



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

Date : 20/02/2020

PRESENT

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

CRL OP(MD). No.3035 of 2020

Ramu

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Kumbakonam.

Crime No.19 of 2019.

... Respondent/Dejuri Complainant

For Petitioner : M/s.R.Prakash,
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.19 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 24.12.2019 for the offences under Sections 11(4) and 12 of Protection of Child from Sexual Offences Act in Crime No.19 of 2019 on the file of the respondent police. Hence, he seeks bail.

3. I went through the contents of the FIR. Since the prosecution also states that nothing more happened what is set out in the FIR. This appears to be rather serious. Since the petitioner is aged about 83 years, the relief can be granted.

4. The petitioner's counsel on instructions gives an undertaking that the petitioner will totally keep off from the victim. If this undertaking is breached, this Court will not hesitate to cancel the relief now granted and commit him to custody.



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;

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(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.II, Kumbakonam.

(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/-
20/02/2020

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, KUMBAKONAM.
- 2.DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3.THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
- 4.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KUMBAKONAM.
- 5.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+3. CC to M/S.R.PRAKASH Advocate SR.No.3555

ORDER
IN
CRL OP(MD) No.3035 of 2020
Date :20/02/2020

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