



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/03/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3537 of 2020

Sundaramoorthy

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Ammaiyanaickanur Police Station
Dindigul District.
Crime No.13/2020.

... Respondent/Complainant

For Petitioner : M/s.M.Murali,
Advocate.

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

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

PRAYER :-

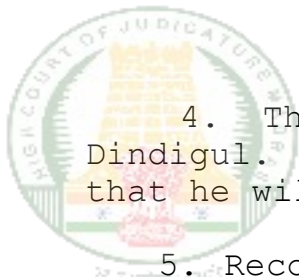
For Bail in Crime No.13/2020 on the file of the Respondent Police.

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 apprehending arrest at the hands of the respondent police for the offences punishable under sections 354(C) and 506(i) of I.P.C., in Crime No.13 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner's counsel submitted that the offence under Section 354(C) of I.P.C. is bailable and what is known as the non-bailable offence is only 506(i) of I.P.C. In as much as the issue concerns the honour and dignity of a woman, this Court made it clear that if the petitioner surrenders, the relief will be granted. The petitioner's counsel states that the petitioner had surrendered yesterday. Therefore, this petition is converted to one of bail



4. The petitioner is now confined in the District Jail, Dindigul. The petitioner through his counsel gives an undertaking that he will be careful and appropriate in his conduct.

5. Recording the said undertaking given by the petitioner, 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, Nilakkottai, Dindigul District.

(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/-
12/03/2020

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

TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI, DINDIGUL DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
3. THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.
4. THE INSPECTOR OF POLICE,
AMMAIYANAICKANUR POLICE STATION, DINDIGUL DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.MURALI, Advocate (SR-5156[I] dated 12/03/2020)

ORDER
IN
CRL OP(MD) No.3537 of 2020
Date :12/03/2020

MS/PN/SAR-1/12.03.2020/2P.7C