



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/02/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.3900 of 2020

D.Lakshmanan

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Kulithalai, Karur District.
(Crime No.3 of 2020)

... Respondent/Complainant

For Petitioner : M/s.V.Karuna,
Advocate.

For Respondent : Mrs.M.Ananathadevi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.3 of 2020 on the file of the Respondent Police.

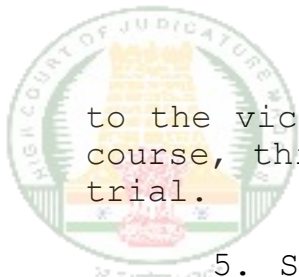
ORDER : The Court made the following order :-

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 10.02.2020 for the offences under Sections 417 and 376 of I.P.C. in Crime No.3 of 2020 on the file of the respondent police. Hence, he seeks bail.

3. On going through the FIR, it appears to be a case of consensual relationship. Of course the defacto complainant would allege that she consented because the petitioner gave a promise to marry her. It has now turned out to be a false.

4. Be that as it may, the petitioner's counsel on instructions states that the petitioner will pay a sum of Rs.25,000/- to the victim. It will be non-refundable payment. At the time of execution of sureties, a demand draft for a sum of Rs.25,000/- favouring the victim will be enclosed. The same will be handed over



to the victim by the Court below through the respondent police. Of course, this is without prejudice to the petitioner's defence in the trial.

5. 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.II, Kulithalai, Karur 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/-
28/02/2020

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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, KULITHALAI, KARUR DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
3. THE OFFICER INCHARGE, SUB JAIL, KULITHALAI, KARUR.
4. THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, KULITHALAI, KARUR DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.V.KARUNA, Advocate (SR-4540[I] dated 28/02/2020)
+1CC TO M/s.V.KARUNA, Advocate, Sr No.9270

ORDER IN
CRL OP(MD) No.3900 of 2020
Date :28/02/2020