



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CRL OP(MD). No.11978 of 2020

Iruthayaraj

... Petitioner/Accused

Vs

State Rep. by
The Inspector of Police,
Peravurani Police Station,
Thanjavur District
Crime No.1173 of 2020.

... Respondent/Complainant

For Petitioner : M/s.R.Venkateshwar,
Advocate.

For Respondent : Mr.R.Saravanakumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.1173 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 04.10.2020 for the offences punishable under Sections 354(A), 354(B), 354(D) and 506(i) of IPC on the file of the respondent police seeks bail.

2. The case of the prosecution is that the petitioner herein caused sexual harassment to the wife of the defacto complainant.

3.The learned counsel for the petitioner would submit that the petitioner is aged about 65 years and he has been falsely implicated in this case due to civil dispute and family dispute among them. He would also submit that though the occurrence took place in the year 2018, the complaint has been lodged only in the year 2020. He would also submit that the petitioner is in jail for nearly 18 days, hence

<https://hlservices.mca.gov.in/services>



4. The learned Government Advocate(Crl.Side) would submit that the petitioner herein caused sexual harassment to the wife of the defacto complainant from the year 2018 but the complaint has been lodged on 04.10.2020. He would also submit that no previous criminal case is pending against the petitioner.

WEB COPY

5. Taking note of the above facts and circumstances of the case and also taking into consideration the period of incarceration and also taking into consideration the fact that no previous criminal case is pending against the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Pattukottai.

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity

ii) the petitioner shall report before the respondent police daily at 10.30 am., until further orders.

iii) the petitioner shall not tamper with evidence or witness.

iv) the petitioner shall not abscond during trial.

v) 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].

vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/10/2020

/ TRUE COPY /

/ /2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION,
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, KUMBAKONAM.

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

ORDER

IN

CRL OP(MD) No.11978 of 2020

Date :22/10/2020

aav

JM/PN/SAR IV/23.10.2020/3P/6C