



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

Date : 09/11/2020

PRESENT

The Hon`ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.12602 of 2020

Ranjith @ Ranjithkumar

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Uthamapalayam, Theni District.
Crime No.6 of 2020.

... Respondent/Complainant

For Petitioner : Mr.R.Shankar Ganesh,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No. 6 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1 herein was arrested on 03.10.2020 for the alleged offences under Sections 9 and 10 of the Child Marriage Restraint Act, 1929 r/w Section 6 and 17 of the Protection of Children from Sexual Offences Act, 2012, in Crime No.6 of 2020, on the file of the respondent Police, seeks bail.

2.The learned counsel appearing on behalf of the petitioner states that he has not committed any offence as alleged by the prosecution and the child line authorities on the basis of the false information had forcefully taken the defacto complainant to the respondent police and registered a case. The 164 statement was recorded before the concerned Magistrate Court and a perusal of the statement of the defacto complainant reveals certain controversies regarding the cases registered against the petitioner, however, the other facts are investigated by the respondent Police by examining the other witnesses and the circumstances arose for registering the case as against the petitioner. However, the doubtful circumstances now raised, provides right for the petitioner to get bail.



3.Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions.

4.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 Mahila (Fast Track) Court, Theni.

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 as and when required for interrogation.

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 petitioner/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/11/2020

/ 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 concerned.

TO

1. THE JUDGE,
MAHILA (FAST TRACK) COURT, THENI.



2. THE OFFICER INCHARGE,
DISTRICT PRISON, DINDIGUL.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
UTHAMAPALAYAM, THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.12602 of 2020
Date :09/11/2020

MS/VR/SAR-2/09.11.2020/3P.5C