



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.14526 of 2021

WEB COPY

Sri Paul @ Prithvirajan

... Petitioner

Vs.

State rep by,
The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
(Crime No.171 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail concerned in Crime No.171 of 2021 pending on the file of the respondent.

For Petitioner : Mr. E.Kannadasan

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 11.06.2021 for the offences under Section 417, 493, 506(i), 312, 109 of I.P.C and section 92(d) of The Rights of Persons with Disabilities Act 2016. Subsequently altered into 376(2)(l)(n), 417, 493, 506(i) and section 312 r/w. 109 of I.P.C, in Crime No.171 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner induced the defacto complainant and false promised to marry her and he has made sexual intercourse with the defacato complainant, she become pregnant. Thereafter, the petitioner refused to marry her. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offences and he has been falsely implicated in this case. He further submits that the petitioner has been jail from 11.06.2021. He further submits that the defacto complainant is the visually challenged person, after the marriage was performed between the petitioner and the defacto complainant at the presents of elders. He further submits that the petitioner has filed an affidavit of undertaking that the marriage was performed subsequently both are living husband and wife. Hence he prays for grant of bail to the



4. Head the learned Government Advocate (Crl.Side) appearing for the respondent police.

5. Considering the affidavit of undertaking filed by the petitioner and considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain 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 District Munisif cum Judicial Magistrate, Uthangarai, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;

(e) 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
19/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
UTHANGARAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
KRISHNAGIRI DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
SINGARAPETTAI POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, HOSUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.NO.8806

CRL OP.14526/2021

Date :19/08/2021

INBA 23/08/2021