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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.24167 of 2021

Ponmozhan

... Petitioner

Vs.

The State rep. By
The Inspector of Police,
All Women Police Station,
Chengalpattu District.
(Crime No.549 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Crime No.549 of 2021 on the file of the All Women Police Station, Chengalpattu District.

For Petitioner : Mr.U.Kathiravan

For Respondent : Mr.N.S.Suganthan
Government Advocate (Cr1. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 08.11.2021 for the offences under Section 174 of Cr.P.C and thereafter altered into Sections 417 r/w 376 and 306 of IPC in Crime No.549 of 2021 on the file of the respondent police seeks bail.

2. The case of the prosecution is that the victim and the petitioner/accused had worked in the same company and the petitioner by giving false promise as if married the victim, had sexual intercourse with her. When the victim demanded him to marry her, he evaded and refused to marry her. Due to that, on frustration, the victim committed suicide. Hence, the complaint.

3. The learned Counsel for the petitioner submits that the petitioner is a PH.D graduate and he is working as a HR Manager and DGM in Pepsi Company at Mamandoor and the victim also working as



Assistant in the same company and apart from that there is no personal relationship with her and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case and the petitioner has been voluntarily surrendered before the Judicial Magistrate-I, Chengalpattu. He further submits that the petitioner has been suffering incarceration for more than 33 days from 08.11.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that investigation was almost completed. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner and the investigation was also completed and also the fact that the petitioner is working as HR Manager and DGM and hence, there is no chance for absconding, 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 learned Judicial Magistrate -I, Chengalpattu and on further conditions 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 Kanchipuram Town police station, Kanchipuram on every Sunday 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;

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-sd/-
13/12/2021

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.1, CHENGALPET.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE OFFICER INCHARGE,
SUB-JAIL, CHENGALPET.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE,
TOWN POLICE STATION, KANCHIPURAM.

+1 CC to M/S.U. KATHIRAVAN Advocate on payment of necessary charges SR.NO.14221

CRL OP.24167/2021

Date :13/12/2021

JPA 13/12/2021