



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM:

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

Crl.O.P.No.25503 of 2021

Kishore

.. Petitioner

Vs.

State By

The Inspector of Police,
Arni Taluk Police Station,
Thiruvannamalai District.
(Crime No.1348 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.1348 of 2021 pending on the file of the Inspector of Police, Arni Taluk Police Station, Thiruvannamalai District..

For Petitioner : Mr.S.Silambuselman

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

ORDER

The petitioner who was arrested and remanded to judicial custody on 03.12.2021 for the offences under Section 354(c), 376(1), 417, 509, 506(ii) of IPC in Crime No.1348 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant studied together in the same college and they loved each other and by giving a false promise of marrying her, the petitioner has committed penetrative sexual assault and at that time, the petitioner has taken obscene videos and threatened her by stating that the said videos will be uploaded in the social media. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that he is ready to marry the victim girl. He further submits that the petitioner has been suffering incarceration for more



than 20 days from 03.12.2021. Hence he prays for granting bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the investigation was almost completed..

5. Considering the period of incarceration suffered by the petitioner and investigation was almost completed, 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, out of which, one surety shall be a blood surety for a like sum to the satisfaction of the learned Judicial Magistrate, No.1, Thiruvannamalai 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 Trial Court proceedings on every Friday at 10.30 a.m., for a period of three months and he shall not communicate the victim through any mode till the disposal of the case ;

(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/-

23/12/2021

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.



1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE INSPECTOR OF POLICE,
ARNI TALUK POLICE STATION,
THIRUVANNAMALAI DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.SILAMBUSELVAN Advocate on payment of necessary
charges SR.NO.15435

CRL OP.25503/2021

Date :23/12/2021

RW 23/12/2021