



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 05/10/2021  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice B.PUGALENDHI**

CRL OP(MD) . No.14862 of 2021

Ramki

... Petitioner/Accused No.1

**Vs**

The State rep.by  
The Inspector of Police  
All Women Police Station  
Alangudi  
Pudukkottai District  
Crime No.04 of 2021

... Respondent/Complainant

For Petitioner : Mr.G.MATHAVAN  
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR  
Additional Public Prosecutor(crl.side)

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

**PRAYER :-**

For Bail in Crime No.04 of 2021 on the file of the Respondent police.

**ORDER :** The Court made the following order :-

The petitioner/A1, who was arrested on 29.04.2021 for the offence under Sections 376(1), 417, 294(B), 323, 147, 509 and 355 I.P.C in Crime.No.04 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 loved each other. The petitioner had physical relationship with the defacto complainant by giving a false promise that he would marry her. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner and victim girl loved each other. The petitioner has not committed any offence as alleged by the prosecution. He further submitted that the petitioner married the victim girl and has produced a photograph to that effect. The petitioner is in judicial custody from 29.04.2021 and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that after completing the

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investigation, the final report has been filed and the same was taken on file in PRC.No.7 of 2021 before the learned Magistrate Court, Alangudi.

5.Considering the facts and circumstances of the case, the fact that there was a love affair and the marriage was also solemnised, the stage of the case and also the period of incarceration, this Court is inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Alangudi 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall appear before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with the 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

05/10/2021

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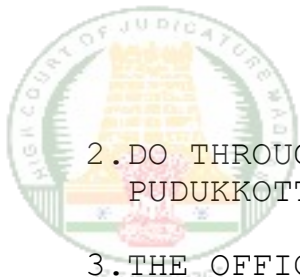
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

**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 JUDICIAL MAGISTRATE  
ALANGUDI.

<https://hcservices.ecourts.gov.in/hcservices/>



2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI DISTRICT.

3.THE OFFICER INCHARGE  
SUB PRISON, PUDUKKOTTAI.

4.THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION  
ALANGUDI  
PUDUKKOTTAI DISTRICT

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

**ORDER**

**IN**

CRL OP(MD) No.14862 of 2021

Date :05/10/2021

SA/JM/SAR.1/05.10.2021/3P/6C