



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.4639 of 2022

T.Edwin

... Petitioner

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Thiruvallur.
(Crime No.3 of 2022)

... 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.3 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Jaikumar

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner/A1, who was arrested on 20.01.2022 for the offences punishable under Sections 294(b), 376, 417, 506(i) of IPC in Crime No.3 of 2022, on the file of the respondent police, seeks bail.

2.Based on the complaint given by one Angel Clara, this petitioner was arrested on 20.01.2022. The F.I.R. Recorded based on the defacto complainant's complaint indicates that this petitioner had developed intimacy with the defacto complainant in the year 2018 and had intercourse with her on promising that he will marry her. Later, this petitioner has married another girl in the month of June 2020. Having come to know it, the defacto complainant had questioned the petitioner and her parents. At that time, they have assaulted her badly and threatened her with dire consequences. It is alleged that due to their intimacy, she was conceived twice.



3.Considering the nature of the complaint and the fact that this petitioner was arrested on 20.01.2022 and the submission of the learned Additional Public Prosecutor that the investigation completed except the medical report which is awaited, this Court is of the view that the bail may be granted to the petitioner. Accordingly, bail is granted to the petitioner and he is ordered to be released on bail subject to the following conditions;

(a) The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.II, Thiruvallur.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner is directed to appear before the Investigating Officer daily at 10.30 a.m. until further orders.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 229A IPC.

-sd/-
11/03/2022

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.II, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVALLUR,

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M.JAIKUMAR Advocate on payment of necessary charges
SR.NO.3758

CRL OP.4639/2022

Date :11/03/2022

JPA 11/03/2022