



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.6975 of 2022

Giridharan @ Ganesan

... Petitioner

Vs.

The State rep. by  
The Inspector of Police,  
All Women Police Station,  
Gummidipoondi,  
Tiruvallur District.  
(Crime No.11 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.11 of 2021 on the file of the respondent police.

For Petitioner : Mr.K.Subburam

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

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ORDER

The petitioner, who was arrested on 10.02.2022 for the offences punishable under Sections 417, 376(2)(n), 313 and 420 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.11 of 2021, on the file of the respondent police, seeks bail.

2. For the alleged offence of physical intercourse on false promise, which had occurred in the year 2020, the victim lady has complained in 2022 alleging that she is physically disabled person and the petitioner herein enticed her and had physical intimacy on several occasion and had also taken away Rs.1,50,000/ and absconded. Now, the petitioner has been secured.



3. Since no custodial interrogation is sought for, in the said circumstances, this Court is inclined to grant bail to the petitioner subject to certain conditions. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

WEB COPY

(a) the petitioner shall execute 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, Gummidipoondi.

(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 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 229A IPC.

-sd/-  
28/03/2022

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,  
GUMMIDIPOONDI



2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE  
ALL WOMEN POLICE STATION,  
GUMMIDIPOONDI,  
TIRUVALLUR DISTRICT.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL, CHENNAI

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.K.SUBBURAM Advocate on payment of necessary charges  
SR.NO.4603

CRL OP.6975/2022

Date :28/03/2022

JPA 29/03/2022