



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.8718 of 2022

Shafeek Ahmed @ Shafeek

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
All Women Police Station,
Ambur, Thirupathur District.
(Crime No.5 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 connection with the Crime No.5 of 2022, pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Saravanan

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested for the offences punishable under Sections 450, 376(1) of IPC in Crime No.5 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested on 09.03.2022 based on the complaint given by one Mayoob, wife of Salman, alleging that the petitioner herein forcibly entered into her house on 09.03.2022 at about 06.15 a.m. and committed rape. The victim was subjected to medical examination and the report was received from the doctor. The statement of the witnesses were recorded.

3.Learned Additional Public Prosecutor appearing for the respondent states that the investigation has been completed and the final report is to be filed soon.



4. Considering the fact that the investigation is substantially over and the statement of the witnesses recorded and the medical report was received, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner 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 Additional District Munsif Cum Judicial Magistrate, Ambur;

(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 report before the Investigating Officer as and when required.

(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/-
19/04/2022

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.



1 THE ADDITIONAL DISTRICT MUNSIF
CUM JUDICIAL MAGISTRATE, AMBUR,
THIRUPATHUR DISTRICT.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
AMBUR, THIRUPATHUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T.SARAVANAN Advocate on payment of necessary charges
SR.NO. 5773

CRL OP.8718/2022

Date :19/04/2022

RW 19/04/2022