



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D.BHARATHA CHAKRAVARTHY

CRIMINAL ORIGINAL PETITION No.12573 of 2022

V.MUTHULINGAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TIRUPUR NORTH POLICE STATION,
TIRUPUR DISTRICT.
(CR.NO. 237 OF 2022)

[RESPONDENT]

For Petitioner : M/S. H.MANOJIN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

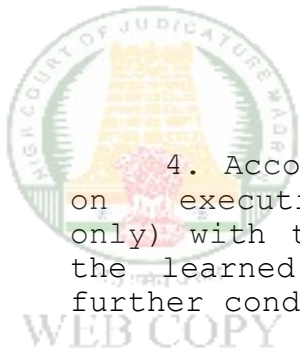
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner herein, who was arrested and remanded to judicial custody on 15.03.2022 for the alleged offences under Sections 363 of IPC, Sections 5(1) r/w. 6 of Protection of Child from Sexual Offences Act, 2012 and Section 9 of Child Marriage Act, 2006, in Crime No.237 of 2022 on the file of the respondent police, seeks bail.

2. I have perused the 164 Cr.P.C. statement of the victim girl recorded before the trial Court. According to the victim, the petitioner who is aged 23 years and the victim whose age is 17 years were in relationship and they eloped from their homes, got married and had intercourse.

3. Considering the nature of the offence and the fact that the victim was married to a third person subsequently by her parents and considering the fact that the petitioner is in judicial custody from 15.03.2022, I am inclined to enlarge the petitioner on bail subject to imposing certain conditions.



4. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tiruppur, on the following further conditions:-

[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 on all hearing dates.

[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.

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

-sd/-

26/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

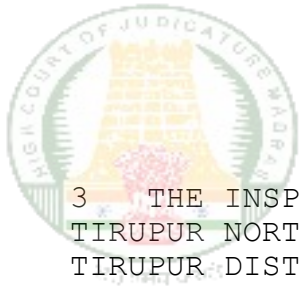
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]



3 THE INSPECTOR OF POLICE,
TIRUPUR NORTH POLICE STATION,
TIRUPUR DISTRICT.

4 THE OFFICER INCHARGE
DISTRICT PRISON, TIRUPPUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. H.MANOJIN Advocate on payment of necessary charges
SR.No.7899

CRL OP.12573/2022

Date :26/05/2022

CSK 26/05/2022