



WEB COPY



CrI.OP.No.16484 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.16484 of 2022

K.Sithick

..Petitioner

Vs.

State by Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in the Crime No.251/2022 on the file of the Respondent Police.

For Petitioner : Mr.K.Subburam

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 24.06.2022 for the offence under Section 366 of IPC and Section 4 of the Prohibition of Harassment of Women Act, 2002 in crime



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No.251 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner and the *de-facto* complainant were in love with each other. As the *de-facto* complainant had stopped the affairs in due course, the petitioner had continued to harass her and on 24.06.2022 he attempted to kidnap her for the purpose of marriage. Hence, the complaint.

3. There was a love affair between the petitioner and the victim girl and she is a major. The petitioner attempted to kidnap the victim girl and thereafter, he left the victim girl.

4. Considering the above facts and circumstances of the case, and also the period of incarceration of the petitioner from the date of his arrest i.e. 24.06.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of



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the learned XXIII Metropolitan Magistrate, Saidapet 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 Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[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 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.

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mpl

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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The XXIII Metropolitan Magistrate,
Saidapet.
- 2.The Inspector of Police,
E-4, Abiramapuram Police Station,
Chennai.
- 3.Central Prison,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

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