



Crl.O.P.No.18151 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2022

CORAM

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

Crl.O.P.No.18151 of 2022

Manikandan @ Mani

...Petitioner

Vs.

The State rep by
The Inspector of Police,
AWPS Tiruppur North,
Tiruppur District.
Crime No.15 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarged on bail in Crime No.15 of 2022 on the file of the
respondent.

For Petitioner : Mr.M.Vijayakumaran

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 31.05.2022 for the offences under Sections **447, 376 of IPC, 1986** in crime No.15 of 2022 on the file of the respondent police, seeks bail.

2. On perusal of the statement of the victim girl recorded under Section 164 of Cr.P.C., reveals that the petitioner after removing the dress of the mentally retarded victim girl, the petitioner ran away from the house. Hence, there is no physical relationship.

3. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner ie., from 31.05.2022, this Court is inclined to grant bail to the petitioner.

4. Accordingly, the petitioner are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two blood sureties**, each for a like sum to the satisfaction of the learned **Mahalir Neethi Mandram (FTMC) Tiruppur** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



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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 stay at Chengalpet and report before the Chengalpet Town Police Station twice daily at 10.30.a.m., and 04.30.p.m., for a period of six weeks and thereafter report before the respondent police daily at 10.30.a.m., until further orders;

[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.

04.08.2022

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To:



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1. Mahalir Neethi Mandram (FTMC),
Tiruppur.
2. The Inspector of Police,
AWPS Tiruppur North,
Tiruppur District.
3. District Jail,
Tiruppur.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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