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Crl.O.P.No.18735 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.18735 of 2022

T. Tamilazhagan

.. Petitioner

Vs.

The Inspector of Police,
Ulundurpet AWPS,
Ulundurpet, Kallakurichi.
(Crime No.9/2022)

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail relating to Crime No.9 of 2022 on the file of the respondent police.

For Petitioner : Mr.P.Jayachandran

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

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The petitioner herein was arrested on 05.07.2022 for the alleged offences under Sections 417, 376, 312, 294(b), 506(ii) of IPC and subsequently altered into Sections 417, 376, 294(b), 506(ii) of IPC in Crime No.9 of 2022, on the file of the respondent police, seeks bail.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3. It is the case of rape on promise to marry. The offender and his family members are arrayed as accused 1 to 4. The petitioner is the first accused, who is the offender.

4. Learned Additional Public Prosecutor states that Section 164 statement of defaco complainant recorded. This petitioner was arrested on 05.07.2022 and he is in incarceration for the past one month.



5. Since investigation has been completed substantially, this Court is inclined to grant bail to the petitioner under Section 167(2) of Cr.P.C., with certain conditions. 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 Judicial Magistrate-I, Ulundurpet.

(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



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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.

08.08.2022

AT

To

- 1.The Judicial Magistrate-I, Ulundurpet.
- 2.The Inspector of Police,
Ulundurpet AWPS,
Ulundurpet, Kallakurichi.
- 3.The Superintendent of Prison,
Central Prison, Cuddalore.
- 4.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN,J.

AT

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