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CrI.OP.No.19809 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2022

CORAM

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

CrI.OP.No.19809 of 2022

K.Rathina Balan

..Petitioner

Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Poonamallee, Chennai- 600 056.
(Cr.No.18 of 2022).

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with Crime No.18
of 2022 on the file of the respondent police.

For Petitioner : Mr.R.Dhamodaran

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 21.07.2022 for the offence under Sections 354, 417, 420 of



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IPC in crime No.18 of 2022 on the file of the respondent police, seeks bail.

2. On perusal of the First Information Report, it revealed that the petitioner fell in love with the victim girl. On the pretext of love affair, he hugged and kissed her. He also touched her chest twice. Admittedly, there was no physical relationship.

3. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e.21.07.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall file an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of activities in future and on such undertaking, 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 sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate-I, Poonamallee** and on further conditions that:



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[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 six weeks and thereafter as and when required for interrogation.

[c] the petitioner shall file an undertaking affidavit before the learned Magistrate concerned undertaking not to indulge in any similar kind of activities in future, at time of execution of bond.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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]**.

[g] 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 Judicial Magistrate-I,
Poonamallee.
- 2.The Inspector of Police,
All Women Police Station,
Poonamallee, Chennai- 600 056.
- 3.Sub Jail, Poonamallee.
- 4.The Public Prosecutor,
High Court of Madras

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