



Crl.O.P.No.24184 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.24184 of 2022

Praveenkumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.

(Crime No.201/2022).

... Respondent

PRAYER: Criminal Original Petitions filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.201
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Mariappan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.08.2022 for the offences punishable under Sections 254C, 376(2)(n), 506(ii) of IPC in Crime No.201 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the de-facto complainant, who is the grand mother of the victim girl, aged about 19 years was undergoing B.Sc., Maths in a private college. The accused who approached the victim as a Karate Teacher had developed friendship with her and thereafter, induced her and took her to a different place and had committed sexual intercourse with her and had also threatened that he will upload her private photographs in social media. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that there was a love affair between the petitioner and the de-facto complainant and since they belongs to the



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different community, it was objected by the family members of the victim girl and a false complaint has been given against the petitioner, as if he had raped her. He would also submit that complaint itself is not given by the victim girl and it seems that she has given a statement, only on the compulsion of her relatives. He would further submit that the relationship between the petitioner and the victim girl is consensual. He would also submit that the petitioner is in custody from 30.08.2022 and hence, he prays for grant of bail to the petitioner.

4. The Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner who got introduced to the victim girl as Karate teacher, taking advantage of his position, induced the victim girl and had a sexual intercourse with her and later threatened her that he will upload her private photographs in social media. Hence, he would oppose to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record including the 164 statement recorded from the victim girl.



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6. Taking into consideration the facts of the case and also considering the submissions made by the learned counsel and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Thandrapet**, 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 stay at Chennai and report before the Inspector of Police, Flower Bazaar Police Station, everyday at 10.30 a.m. and 5.30 p.m., until further orders;

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



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

11.10.2022

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To

1. The District Munsif cum Judicial Magistrate,
Thandrampet,
2. The Inspector of Police,
Thanipadi Police Station,
Tiruvannamalai District.
4. The Central Jail,
Vellore.
5. The Inspector of Police,
Flower Bazaar Police Station,
Chennai.
6. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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