



CrI.O.P.No.25675 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

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

CrI.O.P.No.25675 of 2022

Jeyakrishnan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Elavanasoorkottai Police Station,
Kallakurichi District
Crime No.176 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in respect of the Crime No.176 of
2022 on the file of the respondent police.

For Petitioner : Mr.S.Saravanakumar

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

ORDER



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the 164 of Cr.P.C., statement has been recorded from the victim girl, where she has stated that she was having love affair with the petitioner and on her own volition she went along with the petitioner. He would also reiterate that the petitioner is in custody from 23.08.2022. Therefore, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent would submit that there was love affair between the petitioner and the victim minor girl, who is aged about 14 years and thereby, on a false promise of marrying her, the petitioner had committed penetrative sexual assault on the victim minor girl on several occasions. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record including the statement recorded from the victim girl under Section 164 of Cr.P.C.

6. Taking into consideration the facts and circumstances of the



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case, the submissions made by the learned counsel and also the period of incarceration suffered by the petitioner and also taking note of the fact that the statement recorded from the victim girl under Section 164 of Cr.P.C., this Court is inclined to grant bail to the petitioner.

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 Judicial Magistrate Court, No.I, Ulundurpet**, 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 daily at 10.30.a.m., for a period of four weeks and thereafter on every Saturday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during



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

28.10.2022

Sma

A.D.JAGADISH CHANDIRA., J.



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Sma

To

1. The Judicial Magistrate No.I,
Ulundurpet.
2. The Inspector of Police,
Elavanasoorkottai Police Station,
Kallakurichi District.
3. Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.

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