



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(CRIMINAL JURISDICTION)

DATE : 05/05/2022

WEB COPY

PRESENT

THE HON`BLE MR.JUSTICE M.S.RAMESH

CRL OP(MD) . NO.8072 OF 2022

KARTHICK, ... PETITIONER/1ST ACCUSED

VS

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KEELAVALAVU POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.52/2022) .

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S. MUNIYANDI.S
ADVOCATE.

FOR RESPONDENT : MR.A.THIRUVADIKUMAR,
ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.52 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 04.03.2022 for the offences punishable under Sections 417, 376 and 506(i) IPC in Crime No.52 of 2022, on the file of the respondent police, seeks bail.

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

3.In connection with love affair between the petitioner and the de-facto complainant, the present complaint has been made alleging that the petitioner committed the offence under Sections 417, 376 and 506(i) of IPC. It is stated that the victim girl is two months pregnant through the petitioner herein.



4.The learned counsel for the petitioner submits that his wife, who is also arrayed as an accused, who has been released on anticipatory bail, have advised the petitioner to marry the de-facto complainant. The learned counsel appearing for the petitioner submitted that the petitioner is willing to marry the victim girl/de-facto complainant in view of her pregnancy. The petitioner is in judicial custody from 04.03.2022

5.By taking into consideration of the undertaking given by the petitioner that he intends to marry the victim girl, this Court is inclined to grant bail to the petitioner.

6.However, in case, the de-facto complainant is of the view that the petitioner does not keep up the promise at a later stage, hence, liberty is hereby granted to her to file an application seeking for cancellation of this bail.

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 Additional Mahila Court, Madurai.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Mahila Court/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)On breach of any of the aforesaid conditions, the learned Mahila Judge/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 Mahila Judge/Trial Court himself, as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

Sd/-

05/05/2022

/ TRUE COPY /

05/05/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI/LM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1. THE ADDITIONAL MAHILA JUDGE,
MADURAI.

2. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3. THE INSPECTOR OF POLICE,
KEELAVALLAVU POLICE STATION,
MADURAI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to M/S.R.MANOCHARAN, Advocate, SR.No.4360 DATED:06.05.2022

ORDER
IN

CRL OP(MD) No.8072 of 2022
Date : 05/05/2022

GC/VRS/SAR-3(05.05.2022) 3P 6C