



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 05/05/2022

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8607 of 2022

Murugan

... Petitioner/Accused No.1

Vs

The State Rep. By,
The Inspector of Police,
All Women Police Station,
Theni.
Crime No.13 of 2022.

... Respondent/Complainant

For Petitioner : M/s. Paul Kanagaraj.R.C,
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.13 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 20.04.2022 for the offences punishable under Sections 417, 376, 506(1) r/w 109 of IPC in Crime No.13 of 2022, on the file of the respondent police, seeks bail.

2.The basis of the complaint against the petitioner is that he had promised to marry the de-facto complainant and had sexual relationship with her on many occasions. A reading of the complaint reveals that the sexual relationship was always consensual in nature.

3.It is also stated that the petitioner as well as the de-facto complainant belong to different communities and therefore, there is a life threat to the petitioner herein. In this context, the learned counsel for the petitioner requested that the bail condition could be suitably imposed by allowing the petitioner to report in a



police station, which is outside the district, where the de-facto complainant resides. The petitioner herein is in custody from 20.04.2022.

4. On overall consideration of the case on hand, this Court is of the view that the petitioner could be granted bail subject to the following conditions.

5. 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, Additional Mahila Court (JM Level), Theni.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/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 Inspector of Police, Race Course Police Station, Coimbatore, 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 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]***.

sd/-
05/05/2022

/ TRUE COPY /

05/05/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 concerned.



TO

1. THE JUDICIAL MAGISTRATE,
ADDITIONAL MAHILA COURT (JM LEVEL), THENI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THENI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO :

THE INSPECTOR OF POLICE,
RACE COURSE POLICE STATION,
COIMBATORE.

+1 CC to M/s.R.C.PAUL KANAGARAJ, Advocate (SR-4298[I] dated
05/05/2022)

ORDER
IN
CRL OP(MD) No.8607 of 2022
Date :05/05/2022

SJI/LM
USK/JM/SAR-III/05.05.2022/3P/8C