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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.8744 OF 2022

JOSE DEIVANATH @ JOSEDEVANATH ... PETITIONER/SOLE ACCUSED

VS

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.08 OF 2022).

... RESPONDENT/COMPLAINANT

FOR PETITIONER : MR.J.SANKARAPANDIAN
ADVOCATE.

FOR INTERVENOR : MR.B.PANDIARAJAN
ADVOCATE

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

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

PRAYER :-

For Bail in Crime No.08 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 17.04.2022 for the offences punishable under Sections 294(b), 376, 406, 417 and 506(2) of IPC in Crime No.8 of 2022, on the file of the respondent police, seeks bail.

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

3. The allegation in the complaint reveals that there was consensual relationship between the defacto complainant and the petitioner on various occasions. The defacto complainant seems to be



aggrieved against the petitioner's conduct in refusing to marry. The petitioner has been remanded on 17.04.2022

4. In this background, this Court is of the view that the petitioner may be granted bail.

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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 No.IV, Thoothukudi.

(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 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 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

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05/05/2022

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

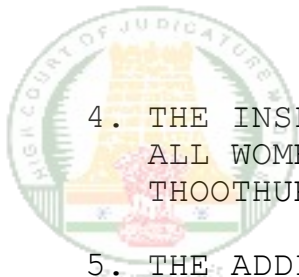
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TO

1.THE JUDICIAL MAGISTRATE NO.IV,
THOOTHUKUDI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE OFFICE INCHARGE
DISTRICT PRISON, PERAYOORANI



4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8744 of 2022
Date : 05/05/2022

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