



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13.09.2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.16148 of 2022

WEB COPY

Muniyandi

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
All Women Police Station-Rural,
Karur,
Crime No.1 of 2022

.. Respondent/Complainant

(Police Station amended vide
court order dated 12.09.2022)

For Petitioner : Mr.J.Sathia Raj, Advocate.
For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.1 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 23.07.2022 for the offences punishable under Sections 376 and 506(i) of IPC in Crime No.1 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 03.07.2022, when the defacto complainant went to work at the petitioner's garden, she was sexually abused by the petitioner. Hence the complaint.

3.On the side of the petitioner it is stated that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. The defacto complainant has given a complaint only on 07.07.2022 but the occurrence is said to have been happened on 03.07.2022. It is a false case and pray the petitioner to be released on bail.

4.The learned Additional Public Prosecutor stated that the defacto complainant is having no extra marital life and the petitioner has sexually abused the defacto complainant forcibly. After the arrival of the defacto complainant's husband, this



complaint has been given by the defacto complainant and the petition to be dismissed.

5. Considering the period of incarceration of the petitioner, this Court is inclined to release the petitioner on bail on the following conditions:

6. The petitioner is ordered to be released on bail, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Karur, and on further conditions that:

(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., until further orders;

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

(iv) the petitioner shall be present before the Court on hearing dates and before the respondent police as and when required;

(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]**.

(vi) If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

13/09/2022

/ TRUE COPY /

13/09/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KARUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.
- 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION-RURAL, KARUR.
- 4 THE OFFICER INCHARGE, SUB JAIL, KARUR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.SATHIA RAJ, Advocate (SR-9921[I] dated 13/09/2022)

ORDER IN

CRL OP(MD) No.16148 of 2022

Date :13/09/2022

PNN

RS/SBN/SAR.1 (13.09.2022) 2P-7C

<https://www.mhc.tn.gov.in/judis>