



CRL.R.C(MD)No.787 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.A(MD)No.787 of 2022

Karthick

... Petitioner / Sole Accused

Vs.

1. The State, represented by

The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Keeranur,

Pudukkottai District.

... 1st Respondent

2. The Inspector of Police,

Keeranur All Women Police Station,
Pudukkottai District.

(Crime No.28 of 2022)

... 2nd Respondent / Complainant

3. Xxxxx,

... 3rd Respondent / Defacto
Complainant

Prayer: This Criminal Appeal has been filed under Section 14 (A) (2) SC/ST (Amendment Act) of 2014, to set aside the order made in Crl.M.P.No.1005 of 2022 on the file of the learned Sessions Judge (Mahila Court), Pudukkottai, dated 03.11.2022 and allowed the appeal and enlarge the appellant on bail.



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For Appellant : Mr. V.Selvakumar
For R1 and R2 : Mr. M.Sakthi Kumar
Government Advocate (Crl.Side)
For R3 : Mr. S.Paul Muruges

JUDGMENT

This Criminal Appeal has been filed to set aside the order made in Crl.M.P.No.1005 of 2022 on the file of the learned Sessions Judge (Mahila Court), Pudukkottai, dated 03.11.2022 and allowed the appeal and enlarge the appellant on bail.

2. The learned counsel for the victim and the learned Government Advocate (Crl.Side) would submit that the victim girl is six month pregnant and the compromise arose between the parties.

3. The learned Counsel for the appellant would submit that two First Information Report has been registered against the Appellant. After the victim girl attaining her majority in three months, the appellant is ready to marry her.



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4. Recording the submission made by the both sides, this Criminal Appeal is allowed and the order dated 03.11.2022 made in Crl.M.P.No. 1005 of 2022 on the file of the learned Sessions Judge (Mahila Court), Pudukkottai, is set aside. The appellant is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge (Mahila Court), Pudukkottai and on further conditions that:

[a]the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Sessions Judge may obtain a copy of their valid identity card to ensure their identity.

[b]the appellant shall report before the respondent police daily at 10:30 a.m., until further orders.

[c]the appellant shall not tamper with evidence or witness either during investigation or trial.

[d]the appellant shall co-operate with the investigation.



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[e]On breach of any of the aforesaid conditions, the learned Sessions Judge/Trial Court is entitled to take appropriate action against the appellant in accordance with law as if the conditions have been imposed and the appellant released on bail by the learned Sessions Judge/Trial Court himself/herself 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 absconds, a fresh First Information Report can be registered under Section 229-A IPC.

7.The appellant has also filed an undertaking affidavit that he will not give any trouble to the defacto complainant in future. If any new case is registered against the appellant, the order of bail granted by this Court in this appeal shall stands cancelled automatically.

05.12.2022

Index : Yes / No
Internet : Yes/ No
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(Note :- Issue order copy on 06.12.2022)



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To:

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1. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Keeranur,
Pudukkottai District.
2. The Inspector of Police,
Keeranur All Women Police Station,
Pudukkottai District.
3. The Sessions Judge,
Mahila Court,
Pudukkottai



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