



CrI.O.P.No.11136 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.05.2023

CORAM

THE HON'BLE MR.JUSTICE A.A.NAKKIRAN

CrI.O.P.No.11136 of 2023

Sriraman

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
AWPS-Mannargudi Police Station,
Crime No.3 of 2023
Tiruvarur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail, in Crime No.3 of 2023, on the file of
the AWPS-Mannargudi Police Station, Tiruvarur.

For Petitioner : Mr.S.Mayilnathan

For Respondent : Mr.N.Muthuvel
Government Advocate (CrI.Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.03.2023, in connection with Crime No.3 of 2023 registered for the offence punishable under Sections 5(j)(ii) read with Section 6 of Protection of Child from Sexual Offences Act, 2012, seeks bail.

2.The case of the prosecution is that the victim is aged 16 years and the petitioner on the false promise of marrying the victim had abducted her. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner and the victim had a love affair, due to which she had voluntarily eloped with the petitioner. He would also submit that the petitioner is in custody for more than 62 days, hence, he seeks to enlarge the petitioner on bail.

4.The learned Government Pleader (Crl.Side) appearing for the respondent submitted that the petitioner is already married and having two



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children. He would also submit that the investigation is completed and the charge sheet has been filed and the same has been taken on file in Spl.SC.No.22 of 2023. Hence, he opposed to grant bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case, and considering the period of incarceration undergone by the petitioner and also considering the fact that the investigation is completed, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his 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 Sessions Judge, Fast Track Mahila Court, Tiruvarur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the learned Sessions Judge, Fast Track Mahila Court, Tiruvarur on all hearing dates without fail;



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[c] the petitioner shall not abscond during trial;

[d] the petitioner shall not tamper with evidence or witness during trial;

[e] 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]***;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

17.05.2023

dsa/anu



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To
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1. The Sessions Judge, Fast Track Mahila Court, Tiruvarur.
2. The Inspector of Police,
AWPS-Mannargudi Police Station,
Tiruvarur District.
3. The Sub Jail, Mannargudi.
4. The Public Prosecutor,
High Court of Madras.



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A.A.NAKKIRAN,J.

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