



Crl.O.P.No.18365 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.18365 of 2023

Ramachandran

...Petitioner

Vs.

The State Represented by,
The Inspector of Police,
North AWPS Police Station.
Crime No.817 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Crime No.817 of 2023 on the file of the respondent police.

For Petitioner : Mr.G. Shanmugam

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



Crl.O.P.No.18365 of 2023

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ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.06.2023 for the offences punishable under Sections 376(E), 506(i), 294(b), 323 of IPC and Section 4 of TNPWH Act in Crime No.817 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, one Pon Anandhi, wife of the defacto complainant had developed friendship with the petitioner. On 20.05.2023, on her own volition, she came from Tiruppur to Tirunelveli to meet the petitioner. However, petitioner is falsely implicated in this case. Petitioner is in judicial custody from 03.06.2023. Thus, he prays for grant of bail.

3. In reply, the learned Additional Public Prosecutor submitted that, originally, this case was registered in Crime No.817 of 2023 under the Caption “Women Missing & Girl Missing” alleging that, defacto complainant's wife Pon Anandhi and their younger daughter Sakthi Niha were missing. Later, it was found that, petitioner and Pon Anandhi developed friendship through social media and therefore, she left the



Crl.O.P.No.18365 of 2023

matrimonial house with her younger daughter Sakthi Niha and lived with the petitioner for some days. Thereafter, Pon Anandhi wanted to come home to see her elder daughter. Petitioner said to have abused her and physically assaulted her.

4. Considering the nature of allegations made in the FIR and it appears that, petitioner and one Pon Anandhi, developed friendship through Instagram medium and she left her home along with her younger daughter on her own accord and the petitioner is in Judicial Custody from 03.06.2023 and that material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

5. Accordingly, 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 **Sessions Judge, Magalir Neethimandram, Tiruppur** and on further conditions that :-



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CrI.O.P.No.18365 of 2023

[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 respondent police daily at 10.30.a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or 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].



Crl.O.P.No.18365 of 2023

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

11.08.2023

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To

1. Sessions Judge, Magilar Neethimandram,
Tiruppur.
2. Central Prison,
Coimbatore
3. The Inspector of Police,
North AWPS Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.18365 of 2023

G.CHANDRASEKHARAN. J.

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CrI.O.P.No.18365 of 2023

11.08.2023