



CrI.OP.No.20362 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.09.2023

CORAM

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

CrI.OP.No.20362 of 2023

Murugesan

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
Kadathur Police Station,
Kadathur-Post,
Erode District.
Crime No.303 of 2023

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.303 of 2023 on the
file of the respondent police.

For Petitioner : Mr.D.Veerasekharan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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CrI.OP.No.20362 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.08.2023 for the offences punishable under Sections 354A, 376 and 511 of IPC in Crime No.303 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is falsely implicated in this case in Crime No. 303 of 2023 registered for the offences under Sections 354A, 376 and 511 of IPC. Petitioner is in judicial custody from 02.08.2023. Thus, he prays for grant of bail.

3. The learned Additional Public Prosecutor opposes this petition on the ground that, petitioner is working as an Village Administrative Officer. Petitioner on the garb of providing job to the defacto complainant, visited the defacto complainant's house on 01.08.2023. At about 06.00.p.m., he entered into the house of the defacto complainant on the garb of checking her certificates and she tried to misbehave with the defacto complainant. When defacto complainant told



Crl.OP.No.20362 of 2023

that, she did not like his behaviour, petitioner tried to embrace her and squeezed her breast.

4. Though the nature of allegations made against the petitioner are serious, considering the fact that, petitioner is a Village Administrative Officer and he has been suspended from service and he is in Judicial Custody from 02.08.2023 and that, material part of the investigation might have been completed, this Court is inclined to grant bail to the petitioner.

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.2, Gobichettipalayam** 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.



CrI.OP.No.20362 of 2023

[b] the petitioner shall appear 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].

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

04.09.2023

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Crl.OP.No.20362 of 2023

To

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1. Judicial Magistrate No.2, Gobichettipalayam
2. The Inspector of Police,
Kadathur Police Station,
Kadathur-Post,
Erode District.
3. District Prison,
Gobichettipalayam
4. The Public Prosecutor,
High Court of Madras



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CrI.OP.No.20362 of 2023

G.CHANDRASEKHARAN. J.

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CrI.O.P.No.20362 of 2023

04.09.2023