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CrI.OP.No.22745 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

CrI.OP.No.22745 of 2023

Kishor

...Petitioner

Vs.

State rep. by its
The Inspector of Police,
All Women Police Station,
Kallakurichi,
Kallakruchi District.
(Crime No.7 of 2023)
...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending trial in P.R.C.No.8 of
2023 on the file of the Judicial Magistrate No.II, Kallakurichi.

For Petitioner : Mr.M.Senthil Kumar

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.06.2023 for the offence punishable under Sections 450, 342, 354(c), 376 and 506(ii) of IPC read with Section 66 E of I.T. Act in Crime No.7 of 2023 on the file of the respondent police, seeks bail.

2.The petitioner is the accused in Crime No.7 of 2023, since final report had been filed, it is now pending in PRC.No.8 of 2023 on the file of the Judicial Magistrate Court – II, Kallakurichi. The matter has to be committed.

3.It is stated that the petitioner was aged 23 years and the victim was aged 43 years. It is also stated that the petitioner had sexually harassed the victim and had also taken photographs. It is stated that the photographs have been recovered and naturally, investigation has been completed by the respondent, since final report has been filed.

4. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner subject to the following conditions.



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5. 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 Judicial Magistrate No.II, Kallakurichi, 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 Judicial Magistrate No.II, Kallakurichi, daily at 10.30.a.m till the order of committal and thereafter before the concerned Sessions Court 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



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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.

05.10.2023

Smv

To

1.The Judicial Magistrate No.II, Kallakurichi.

2.Central Prison,
Cuddalore.

3.The Public Prosecutor,
High Court of Madras



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C.V.KARTHIKEYAN. J.

Smv

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