



Crl.OP.No.23247 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

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

Crl.OP.No.23247 of 2023

Ramar @ Ramu
S/o.Velusamy

...Petitioner/A4

Vs.

State by
Inspector of Police,
Jayankondam Police Station,
Ariyalur District.
(Crime No.421 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.421 of 2023 on the file of the Inspector of Police, Jayankondam Police Station, Ariyalur District.

For Petitioner : Mr.K.Balu

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.09.2023, for the offences punishable under Sections 294 (b), 147, 366 altered to 354 (A), 366, 366 (A), 376 (2) (n), 147, 294 (b) IPC and



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under Sections 9 & 10 of Prohibition of Child Marriage Act and under Sections 5 (1), 11 (iv) (v) r/w Sections 6, 12 & 17 POCSO Act, 2012, in Crime No.421 of 2023, on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that petitioner has been arrayed as A4 in this case and he had been taken into custody on 01.09.2023. He is an innocent person and he has been falsely implicated in this case. Thus, he prays for grant of bail to the petitioner.

3.It is stated by the learned Government Advocate (Crl.Side) that petitioner had relationship with a child aged 16 years. It is also stated that the petitioner had subsequently married the victim child. Thus, he prayed for dismissal of this petition.

4.However, it is contended by the learned counsel for the petitioner that all are relatives and it is also stated that a dispute had been created owing to a family civil dispute between the family of the petitioner and the family of the defacto complainant.



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5.Taking into consideration the facts and circumstances of the case and that substantial part of the investigation is completed, this Court is inclined to grant bail to the petitioner subject to the following conditions. Accordingly, petitioner is ordered to be released on bail on he 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.I, Jayankondam** 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 respondent police everyday Morning at 10.30 a.m., and Evening at 05.30 p.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.



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[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.

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To

1.The Judicial Magistrate No.I, Jayankondam.

2.Sub Jail, Jayankondam.

3.The Public Prosecutor,
High Court of Madras.

4.The Inspector of Police,
Jayankondam Police Station,
Ariyalur District.
(Crime No.421 of 2023)



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C.V.KARTHIKEYAN. J.

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