



Crl.O.P.No.24296 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

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

Crl.O.P.No.24296 of 2023

Micheal S/o. Mari

... Petitioner/Accused-3

Vs.

State by
The Inspector of Police,
Kelambakkam Police Station,
Chengalpattu.

(Crime No.166 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.166 of
2023 on the file of the respondent police with terms and conditions.

For Petitioner : Mr.R.Thirumoorthy

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



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ORDER

The petitioner/A3 seeks bail in Crime No.166 of 2023, originally registered under Sections 394(b), 506(ii) & 324 of IPC r/w Section 3(1)(r), 3(1)(s), 3(1)(w)(i) & 3(2)(va) of SC/ST Amended Act, 2015 but subsequently altered to Sections 376, 294(b), 323, 506(i) of IPC r/w Section 4 of TNPHW Act. He had been taken into custody on 12.09.2023.

2.It is stated that A2 and A4 had been secured.

3.It is the case of the prosecution that A1 had sexually abused the defacto complainant and other victims. They had given a complaint and they were also rescued by the Tahsildar, Thiruporur.

4.In so far as the present petitioner/A3 is concerned, he had threatened the defacto complainant and had recorded videos. However, it is stated that actually other accused/A4 had so recorded the videos.

5.The learned counsel for the petitioner states that the petitioner has been in custody for a considerable period of days.

6.Taking all these factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:



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7. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 District Munsif cum Judicial Magistrate, Thiruporur, 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., Afternoon at 2.00 p.m., and Evening at 6.00 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.

[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



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under Section 229A IPC.

8.A specific direction is given that this order should not be used for grant of bail for other accused, who are directly involved in the offence.

09.11.2023

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To

1. The District Munsif cum Judicial Magistrate, Thiruporur.
- 2.District Jail, Chengalpattu.
- 3.The Inspector of Police,
Kelambakkam Police Station,
Chengalpattu.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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