



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 30/01/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.1735 of 2023

WEB COPY

Thamaraiselvam

... Petitioner/Petitioner/Accused No.1

Vs

State Rep.by

The Inspector of Police,
Ponnamaravathy Police Station,
Pudukottai District.

Crime No.266 of 2021.

... Respondent/Respondent/Complainant

For Petitioner : M/s.Gunasekaran P,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.266 of 2021 on the file of the Respondent Police.

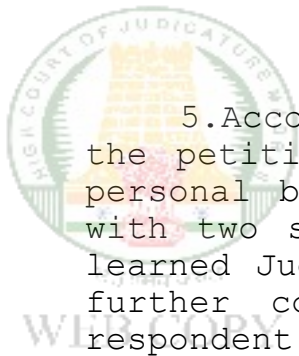
ORDER : The Court made the following order :-

The petitioner/Accused No.1 herein, who was arrested on 06.12.2021 for the alleged offence under Sections 366(A) and 109 of IPC r/w Section 5(1) & 6(1) of POCSO Act, 2019 and 9 of Child Marriage Restraint Act, 2006, in Crime No.266 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner had kidnapped the victim girl with an intention to marry her. Hence, the case.

3.The earlier application filed by the petitioner was dismissed on the ground that in subsequent case, the petitioner was convicted, against which, Crl.A.(MD).No.844 of 2022, has been preferred and pending appeal Crl.M.P.(MD).No.15289 of 2022 was filed seeking Suspension of Sentence. Now suspension was granted on 19.01.2023 on the basis of the undertaking given by the petitioner to the effect that he will marry the victim girl. The very same undertaking has also been given before this Court.

4.In view of the above said development, this Court is inclined to grant bail to the petitioner with conditions.



5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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, Thirumayam, Pudukottai District and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

30/01/2023

/ TRUE COPY /

30/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKOTTAI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4 THE INSPECTOR OF POLICE
PONNAMARAVATHY POLICE STATION, PUDUKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADRURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.GUNASEKARAN, Advocate (SR-1365[I] dated 30/01/2023)

ORDER

IN

CRL OP(MD) No.1735 of 2023

Date :30/01/2023

RS/SSS/SAR.(30.01.2023) 2P-7C