



CRL OP(MD)No.19289 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL

CRL OP(MD)No.19289 of 2023

Aridoss @ Raja

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.194 of 2023)

... Respondent/Complainant

For Petitioner : Mr.V.M.Jegadeesha Pandian, Advocate
For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.194 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 07.10.2023 for the alleged offence under Sections 448, 354A(1)(i) IPC in Crime No.194 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 05.10.2023, during night hours, when the defacto complainant and her son were in their house, the petitioner entered into the house and tried to assault the defacto complainant sexually. Hence, the defacto



CRL OP(MD)No.19289 of 2023

complainant filed a complaint. Based on the said complaint, the above said case has been registered against the petitioner.

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3.The learned counsel for the petitioner submitted that petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in custody from 07.10.2023 and hence, he seeks bail.

4.The learned Additional Public Prosecutor submitted that the petitioner tried to assault the defacto complainant sexually and investigation is not completed. At this stage of investigation, if bail is granted to the petitioner, he will cause threat to the defacto complainant. Accordingly, learned Additional Public Prosecutor raised objection for granting bail.

5.Heard both sides. This court has perused the materials available in the records.

6.Considering the nature of allegations made against the petitioner and also the nature of the offence allegedly committed by the petitioner and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with stringent conditions.

7.Accordingly, this Criminal Original Petition is allowed subject to the following conditions:-

i)the petitioner is ordered to be released on bail, on executing a bond for a sum



CRL OP(MD)No.19289 of 2023

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, Kamuthi.

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ii)the petitioner shall stay at Madurai and report before the Inspector of Police, Thallakulam Police Station, Madurai daily at 10.00 a.m. and 5.30 pm until further orders.

iii)the petitioner should not either directly or indirectly cause threaten to the defacto complainant or other witnesses.

iv)on breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

sd/-
26/10/2023

/ TRUE COPY /

27/10/2023

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

gns
TO

1 THE JUDICIAL MAGISTRATE, KAMUTHI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



CRL OP(MD)No.19289 of 2023

3 THE INSPECTOR OF POLICE, ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE OFFICER INCHARGE, SUB JAIL, MUDUKULATHUR,
RAMANATHAPURAM DISTRICT.

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

COPY TO

THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION, MADURAI.

+1 CC to M/s.V.M.JEGADEESHA PANDIAN, Advocate (SR-15618[I] dated
26/10/2023)

ORDER
IN
CRL OP(MD) No.19289 of 2023
Date :26/10/2023

RS//SAR-(27.10.2023) 4P 8C
Madurai Bench of Madras High Court is issuing
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