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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.10530 of 2024

Kavinessh

... Petitioner

Vs.

State Rep by.
The Inspector of Police
Pappireddipatti Police Station,
Dharmapuri District
Crime No. 28 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in crime No. 28 of 2024 pending
investigation on the file of the respondent police.

For Petitioner : Mr.M.Kavikannan
For Respondent : Mr.V.Meganathan,
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on **11.02.2024** for the alleged offences punishable under Sections 376, 511 of IPC **in crime No. 28 of 2023** on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner attempted to commit rape on the victim girl. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Prayed to allow this petition.

4. The statement of the victim girl has been recorded under Section 164 Cr.P.C., wherein she stated that the petitioner was attempted to misbehave with her. However, the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioner.

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 (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Pappireddipatti, Dharmapuri**, and on further conditions that:



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[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 stay Tiruvannamalai and report before the Town Police Station daily at 10.30 a.m. for a period of six monthsf and thereafter report before the respondent police as and when required for interrogation and shall not have any communication with the victim girl;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate, Pappireddipatti, Dharmapuri.**
2. The Inspector of Police
Pappireddipatti Police Station,
Dharmapuri District
3. The Sub Jail, Dharmapuri
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.10530 of 2024

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