



Crl.O.P.No.13136 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

CORAM

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

Crl.O.P.No.13136 of 2024

Praveen

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
All Women Police Station,
Vedaranyam,
Nagapattinam District.
(Crime No.14 of 2023)
...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in S.C.No.31 of 2024 on the file
of the Fast Track Mahila Court (Additional District Court) Nagapattinam.

For Petitioner : Ms.Mythili Srinivas

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



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ORDER

The petitioner seeks bail in S.C.No.31 of 2024 now pending on the file of the on the file of the Fast Track Mahila Court (Additional District Court) Nagapattinam.

2.Originally, the petitioner / accused who was arrested and remanded to judicial custody on 12.10.2023 for the offences punishable under Sections 417 and 376 of IPC in Crime No.14 of 2023 on the file of the respondent.

3.The learned counsel for the petitioner stated that the petitioner and the defacto-complainant were in relationship for past four years. They also had physical relationship. Thereafter, though he promised to marry her, he then stated that he would marry the girl whom his mother and grand-father point out. When the mother of the defacto complainant approached the mother of the petitioner she also stated that the accused would marry only the girl who she pointed out. The 164(5) Cr.P.C., statement of the defacto complainant had been recorded and it is clear that she had reiterated statements made in the complaint.



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4.The earlier petition seeking bail was dismissed on 11.12.2023 in Crl.O.P.No.27745 of 2023. On that date, it had been observed that the chief and cross-examination of the victim / defacto complainant should be completed. It is now informed by both the learned counsel for the petitioner and also by the learned Government Advocate (Crl. Side) for the respondent that the defacto complainant had been examined in chief and had also been cross-examined on 29.04.2024 itself.

5.Taking that factor into consideration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 Fast Track Mahila Court (Additional District Court) Nagapattinam, 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 appear before the Mahila Court, Nagapattinam, on every Monday at 10.30 a.m., apart from



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the Court hearing dates, till completion of trial.

[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 under Section 229A IPC.

06.06.2024

smv



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To

1. The Fast Track Mahila Court (Additional District Court),
Nagapattinam
2. The Central Prison, Nagapattinam..
3. The Inspector of Police,
All Women Police Station,
Vedaranyam,
Nagapattinam District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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