



CRL OP(MD). No.9007 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.9007 of 2024

Joal Pushparaj

... Petitioner/ Accused No.3

Vs

State through
The Inspector of Police,
Uthumalai Police Station,
Tenkasi District
(Crime No.123/2024.)

... Respondent/ Complainant

For Petitioner : M/s.Gurudas.M, Advocate

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.123/2024 on the file of the respondent police



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ORDER: The Court made the following order :-

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The respondent police registered a case as against this petitioner in Crime No.123 of 2024 for the offence under Sections 294(b), 397 and 506(ii) IPC, and remanded him into judicial custody on 09.06.2024. Therefore, the petitioner has filed this petition seeking bail.

2. The case of the prosecution is that the accused have compelled the defacto complainant to have sexual activity. However, the defacto complainant has refused to do so and therefore, the accused have assaulted the defacto complainant using sticks, threatened him with dire consequence and also they have transferred a sum of Rs.10,000/- from the defacto complainant's bank account to the petitioner's bank account, through G-pay. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, he has been arrested and she is languishing in jail from 09.06.2024. He further submits that the petitioner is a student, who is studying B.E., Aeronautical Engineering in Sathyam College, Aralvaimolzhi, Kanniyakumari District and his semester examination is also scheduled to be held from 06.06.2024 to 24.07.2024. Therefore, he prays for grant of bail.

4. The learned Additional Public Prosecutor appearing for the respondent



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submits that no previous case is pending against the petitioner.

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5. Considering the facts and circumstances of the case, the period of incarceration and also considering the antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail

i) on the petitioner executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Alankulam, Tenkasi District.

ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

iii) The petitioner shall appear daily before the Principal, Sathiyam College, Aralvaimozhi, Kanniyakumari District, until further orders. He has to co-operate for the investigation.

iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.



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v) On violation of any of the above conditions by the petitioner,
the respondent police shall move an application for cancellation of the
bail.

sd/-
20/06/2024

/ TRUE COPY /

20/06/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

To

- 1.The Judicial Magistrate,
Alankulam, Tenkasi District.
- 2.Do through the Chief Judicial Magistrate,
Tirunelveli District.
- 3.The Inspector of Police,
Uthumalai Police Station,
Tenkasi District.
- 4.The Superintendent,
Central Jail, Palayamkottai,
Tirunelveli.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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The Principal,
Sathiyam College,
Aralvaimozhi,
Kanniyakumari District.

ORDER

IN

CRL OP(MD) No.9007 of 2024

Date :20/06/2024

ED/ /SAR- (20/06/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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