



CRL OP(MD). No.13972 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13972 of 2024

Ramar,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli.
Crime No.222/2023.

... Respondent/Complainant

For Petitioner : M/s. Samy.K.K,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.222/2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody
on 24.04.2023 for the offences punishable under Sections 294(b), 324, 376, 506(ii) IPC



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and Section 4 of TNPHW Act, r/w. 67, 67(A) of IT Act, 2000, in crime No. 222 of 2023

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on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein raped the victim being the widow and he recorded the same through her cellphone and thereafter, he sent the video to her mobile and threatened her with dire consequences. Hence, the case.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. This is a serious case. Where the petitioner being the sole accused is said to have threatened the defacto complainant, when she came out of the house during the night time and forcibly had intercourse with her. Only considering the fact that the trial is not yet commenced and the petitioner is in judicial custody from 24/4/2023, I am inclined to enlarge the petitioner on bail.

5. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 learned Sessions Judge, Mahalir Neethimandram, Thirunelveli.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar



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card or Bank Pass Book to ensure their identity;

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(ii)the petitioner shall appear before the respondent Police daily at 10.30 a.m for a period of four weeks and thereafter, appear before the concerned Court on all hearing dates without fail.

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

(vi)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
03/09/2024

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03/09/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
1 THE SESSIONS JUDGE,
MAHAJIR NEEDHIMANDRAM, TIRUNELVELI.

<https://www.mmc.tn.gov.in/judis>



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2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
THATCHANALLUR POLICE STATION,
TIRUNELVELI.

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

ORDER IN
CRL OP(MD) No.13972 of 2024
Date :03/09/2024

SA/SAR. /03.09.2024/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.