



CRL OP(MD). No.14707 of 2024

WEB COPY

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.14707 of 2024

Muthumurugan,

... Petitioner/Sole Accused

Vs

The State Through the Inspector of Police,
All Women Police Station,
Aruppukottai,
Virudhunagar District.
Crime No. 18/2024.

... Respondent/Complainant

For Petitioner : M/s. Satish.G.R,
Advocate.

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

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No. 18 of 2024 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

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



CRL OP(MD). No.14707 of 2024

28.06.2024 for the offences punishable under Sections 417, 376 and 506(i) IPC, in crime No. 18 of 2024 on the file of the respondent police, seeks bail.

WEB COPY

2.The case of the prosecution is that the petitioner herein, is residing near the defacto complainant's house and when the defacto complainant went to light the lamp in the house, that she had newly constructed, the accused followed her and grabbed the defacto complainant's hand and threatened to kill her and forced to have sexual intercourse. 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. Considering the nature of allegations in this case and considering the argument of the learned Counsel for the petitioner that on an earlier occasion when the defacto complainant had lodged a complaint, they got married and merely because subsequent differences have arisen the present complaint has been filed and considering the undertaking that the petitioner will file an affidavit before the trial Court that they are already married, 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



CRL OP(MD). No.14707 of 2024

learned Judicial Magistrate, Aruppukkottai, Virudhunagar District.

WEB COPY

(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 card or Bank Pass Book to ensure their identity;

(ii) As per the undertaking, the petitioner shall file an affidavit confirming that the petitioner has already married the defacto complainant.

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

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

v) the petitioner shall not abscond during trial.

vi) 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



CRL OP(MD). No.14707 of 2024

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].

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

sd/-
03/09/2024

/ TRUE COPY /

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 JUDICIAL MAGISTRATE,
ARUPUKOTTAI, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE OFFICER INCHARGE,
SUB JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARUPPUKOTTAI,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.G.R.SATISH, Advocate (SR-10764[I] dated 03/09/2024)



WEB COPY



CRL OP(MD). No.14707 of 2024

ORDER
IN
CRL OP(MD) No.14707 of 2024
Date :03/09/2024

SA/SAR. /03.09.2024/5P/7C

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