



CRL OP(MD). No.16801 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16801 of 2024

1. Kulandhai

2. Sakthi

... Petitioners/ Accused 1 & 2

Vs

1. The State of Tamilnadu

The Inspector of Police,
All Women Police Station,
Manapparai,
Tirchy District.

(Crime No. 32 of 2024)...Respondent / Complainant

2. Kalaimathi

... 2nd Respondent

(Suo-motu impleaded as per order of the Court
dated 03.10.2024 in CRL OP(MD)No.16801 of 2024)

For Petitioner : M/s.Ratchaka.N
Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public PROsecutor



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PETITION FOR BAIL Under Sec.483 of B.N.S.S. U/s 439 of Cr.P.C.

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PRAYER :- For bail in Crime No.32 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 16.09.2024 for the offences punishable under Sections 417, 376, 313, 323, 294(b), 506(i) of BNS, in Crime NO.32 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner physically assaulted and harassed the victim girl. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.



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4.Considering the nature of allegations in this case that the petitioner promised to marry the victim and had physical intercourse and thereafter did not marry and considering the fact that the petitioner was initially arrested on 16.09.2024 and was in custody for a period of 18 days until he was granted interim interim bail, I am inclined to enlarge the petitioner on bail with certain conditions.

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 Judicial Magistrate Court, Manapparai, Trichy District.

(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)the petitioner shall report before the respondent police daily at 10.30 a.m.,for a period of three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;



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(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 229A IPC.

sd/-
28/10/2024

/ TRUE COPY /

29/10/2024
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

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



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WILPMDN 1. THE JUDICIAL MAGISTRATE, MANAPPARAI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE OFFICER IN CHARGE,
DISTRICT PRISON, TRICHY.

4. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MANAPPARAI,
TIRCHY DISTRICT.

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

+1 CC to M/s.N.RATCHAKA, Advocate (SR-13265[I] dated 28/10/2024)

ORDER
IN
CRL OP(MD) No.16801 of 2024
Date :28/10/2024

RK/SVR (29/10/2024) 5P / 7C

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