



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eleventh day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10391 of 2015

MURUGAN

... PETITIONER/ ACCUSED No.1

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KANYAKUMARI DT,
CRIME NO.7/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.CHRISTOPHER Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as A1 in Crime No.7 of 2015 on the file of the respondent police, was arrested and remanded to judicial custody on 14.03.2015 for the alleged offences punishable under Sections 8, 9(1), 9 (n), 10 and 21 of Protection of Children from Sexual Offences Act, and hence, seeks bail.

2.The case of the prosecution is that the first accused is the second husband of the second accused and the victim girl is the daughter of the second accused. While so, the first accused sexually harassed the victim, which was not questioned by the second accused and on the other hand, she aided the first accused for the commission of offence.

3.The learned counsel for the petitioners submitted that the petitioner was arrested on 04.03.2015 and the maximum punishment for the alleged offence is 7 years, however, the respondent has not filed charge sheet in this case. He further submitted that as per Section 167(2) Cr.P.C, the petitioner is entitled for bail and the co-accused A2 was released on bail by this Court in Crl.O.P.(MD).No.9438 of 2015 on 03.06.2015.

4.The learned Government Advocate (Crl.side) would submit that the respondent police is taking steps to record 164 statement from the witnesses and awaiting for chemical analysis report.

5.Considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail on the following conditions. Accordingly, the petitioner is directed 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 Fast



Track Mahila Court, Nagercoil and on further condition that the petitioner shall reside at Trichy and report before Trichy cantonment Police Station daily twice ie., at 10.00 a.m., and 05.00 p.m., until further orders.

sd/-
11/06/2015

WEB COPY / TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE FAST TRACK MAHILA COURT, NAGERCOIL.
 - 2 THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 3 THE OFFICER IN-CHARGE,
CANTONMENT POLICE STATION, TRICHY.
 - 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, KANYAKUMARI DISTRICT.
 5. THE OFFINER INCHARGE, SUB JAIL, NAGERCOIL.
- +1. CC to M/S.C.CHRISTOPHER Advocate SR.No. 2990.

TS/11.06.2015/2P-7C

ORDER
IN
CRL OP(MD) No.10391 of 2015
Date :11/06/2015