



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

Wednesday, the First day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12106 of 2015

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... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY: THE INSPECTOR OF POLICE
ALL WOMEN POLICIE STATION, SATTUR ,
VIRUDHUAGAR DISTRICT, CRIME NO.,12/2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G.MARIAPPAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

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

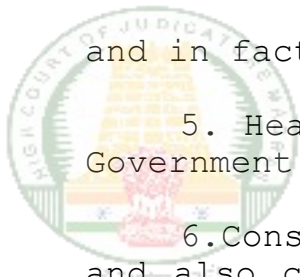
ORDER : The Court Made the following order :-

The petitioner, who is the sole accused in Crime No., 12 of 2015 for the offences punishable under Sections 376 IPC nd 5(L) and 6 of POCSO Act, 2012 on the file of the respondent police, was arrested and remanded to judicial custody on 12/06/2015. He seeks bail.

2. The case off the prosecution is that the accused had kidnapped the victim and committed rape.

3. The learned counsel for the petitioner submitted that the petitioner is a maternal uncle of the de facto complainant and there was a marriage proposal between the petitioner and the de facto complainant and on 12/06/2015 some of the officials from a social welfare Department came to the place on receiving information that a child marriage was performed in the village. However, later they found that there was no such marriage and they for ed the de facto complainant to give a false statement against the petitioner. The learned counsel further submitted that the victim herself appeared before the learned Judicial Magistrate No. I, Srivillipathur and gave a statement stating that the petitioner had no physical relationship with her and she was staying along with her grandmother on the date of occurrence.

4. The learned counsel for the petitioner submitted that the case was registered on the basis of the statement given by the victim on 11/06/2015 and on 15/06/2015, she appeared before the learned Judicial Magistrate no. I and gave a statement under Section 164 Cr.p.c, stating that she was forced to give a false complaint



and in fact nothing had happened.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

6. Considering the overt act, attributed against this petitioner and also considering the statement given by the victim, this court is inclined to grant bail to the petitioner with certain conditions. Accordingly, 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 Special Judge/Mahila Court, Srivilliputhur, and on further condition that the petitioner shall appear before the respondent police at 10/00 a.m., until further orders.

sd/-

01/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE SPECIAL JUDGE MAHILA COURT SRIVILLIPUTHUR

2 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

3 THE OFFICER IN CHARGE
DISTRICT JAIL VIRUDHUNAGAR

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SATTUR ,
VIRUDHUNAGAR DISTRICT, CRIME NO., 12/2015

+1. CC to M/S.G.MARIAPPAN Advocate SR.No.35115

DM 1 7 15

ORDER

IN

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Date : 01/07/2015

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