



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

Thursday, the Thirteenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15110 of 2015

GURUSAMY

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
M.PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN CR. NO.75 OF 2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.V.RAJASEKARAN Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

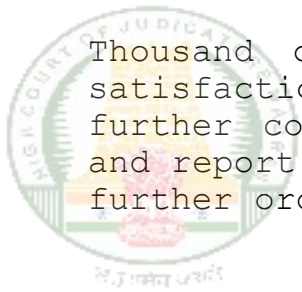
The petitioner, who is the sole accused in Crime No.75 of 2015 on the file of the respondent police, was arrested on 22.07.2015 for the alleged offences punishable under Section 376(ii) of I.P.C., and Section 3(2)(v) of SC/ST (PoA) Act and hence, seeks bail.

2. The case of the prosecution is that on 21.07.2015 at 11.00 a.m. the accused entered into the house of the de-facto complainant and pulled her to a rest room and committed rape.

3. The learned counsel for the petitioner submitted that the de-facto complainant is aged about 50 years and the petitioner is aged about 52 years and both are neighbours and due to lodging of the cattle in the house of the accused, there was a dispute between them and due to which, she falsely implicated the petitioner in this case. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely roped in this case with an ulterior motive.

4. The learned Government Advocate (Crl.side) opposed the bail petition stating that the victim also sustained injury on her hand and the medical report is awaited.

5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail on his 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, Sivakasi and on further condition that the petitioner shall reside at Rajapalayam and report before the North Police Station daily at 10.00 a.m. until further orders.

sd/-
13/08/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.THE JUDICIAL MAGISTRATE,
SIVAKASI,
 - 2.THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
 - 3.THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4.THE INSPECTOR OF POLICE,
M.PUDUPATTI POLICE STATION, VIRUDHUNAGAR DISTRICT.
 - 5.THE OFFICER INCHARGE,
SUB JAIL, SRIVILLIPUTHUR.
 - 6.THE OFFICER INCHARGE,
RAJAPALAYAM,NORTH POLICE STATION, RAJAPALAYAM.
- +1. CC to M/S.V.RAJASEKARAN Advocate SR.No.46072

ORDER
IN
CRL OP(MD) No.15110 of 2015
Date :13/08/2015

RG.13.08.2015 2P/8C.