



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.15239 of 2015

A. KUMAR

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
MUSIRI ALL WOMEN POLICE STATION,
TIRUCHIRAPPALLI
IN CR. NO. 11 OF 2015.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.G.MARIAPPAN Advocate

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

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

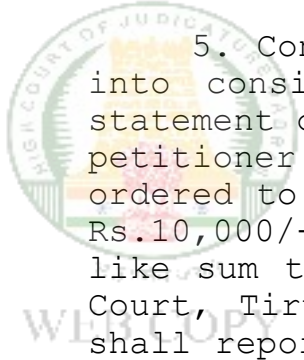
ORDER : The Court Made the following order :-

The petitioner, who is the sole accused in Crime No.11 of 2015 on the file of the respondent police, was arrested on 27.06.2015 for the alleged offences punishable under Sections 3 and 4 of Protection of Children from Sexual Offences Act, 2012 and hence, seeks bail.

2. According to the de-facto complainant, on 25.06.2015 night, she along with her daughter (victim) were sleeping inside the house and when she woke up at 3.30 a.m., to attend the nature's call, her daughter was found missing and later, she was traced in the upstairs house of the accused, where she was raped by the accused.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the alleged victim was taken to a hospital and the accident register shows that there are no external injuries and the alleged victim has given a statement to the respondent stating that the accused was in talking terms with her for more than 4 months and under the pretext of marrying, he had sexual relationship with her and to prevent the pregnancy, he was also using condom.

4. The learned Government Advocate (Crl.side) submitted that the accused is 19 years old and the victim is 16 years and she was raped by the accused.



5. Considering the facts and circumstances of the case, taking into consideration the averments made in the complaint and the statement of 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 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 Sessions Judge, Mahila Court, Tiruchirapalli and on further condition that the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.

sd/-
13/08/2015

/ TRUE COPY /

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

TO

1.THE SESSIONS JUDGE, MAHILA COURT, TIRUCHIRAPPALLI.

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

3.THE OFFICER INCHAGRE,
JUVENILE JUSTICE BOARD, IN THANJAVUR.

4.THE INSPECTOR OF POLICE,
MUSIRI ALL WOMEN POLICE STATION, TIRUCHIRAPPALLI

+1. CC to M/S.G.MARIAPPAN Advocate SR.No.46030

ORDER
IN
CRL OP(MD) No.15239 of 2015
Date :13/08/2015

RG.13.08.2015 2P/6C.