



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Eleventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17638 of 2015

1 MANICKAM

2 PRASANNA

..PETITIONERS/ACCUSED 1 & 4

Vs.

STATE REP.BY THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, PALANI,
DINDIGUL DISTRICT.
(CRIME NO.23/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S ANANTH C.RAJESH Advocate

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

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

ORDER : The Court Made the following order :-

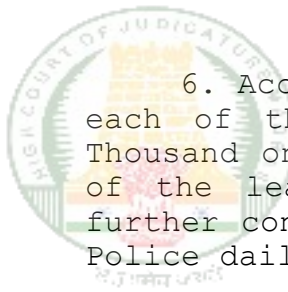
The petitioners, who are arrayed as A1 and A4, in Crime No.23 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 28.07.2015, for the alleged offences punishable under Section 376(D) and 120(b) of IPC and hence, seek bail.

2. The case of the prosecution is that the accused by making false representation to get an employment to the de-facto complainant, took her to lodge at Palani on 26.07.2015 and by force raped her.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. The learned counsel further submitted that the occurrence said to have taken place on 26.07.2015 at 11.50 p.m. but the complaint was given only at 23.00 hours on 27.07.2015 without paper explanation for the inordinate delay. It is further submitted that to extract money from the petitioners, this complaint was given and that A2 and A3 were granted bail by this court in Crl.OP(MD)No.15566 of 2015.

4. The learned Government Advocate (Crl.side) would submit that the de-facto complainant is aged about 24 years and she was asked to come to Palani on 26.08.2015, by the first accused and she was also asked to stay in a lodge, where all the accused rape on her. It is further submitted that major part of the investigation is over.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioners with certain conditions.



6. Accordingly, the petitioners are ordered to be released on bail on each of them 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, Palani, Dindigul District and on further condition that the petitioners shall report before the respondent Police daily at 10.00 a.m until further orders.

sd/-

11/09/2015

WEB COPY

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, PALANI, DINDIGUL DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.

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

4 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, PALANI,
DINDIGUL DISTRICT.

5 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S ANANTH C.RAJESH Advocate SR.No.53673

ORDER IN

CRL OP(MD) No.17638 of 2015

Date :11/09/2015

PBK/SK-SKN/SAR-I 11/09/2015 ::2P-7C::