



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

Friday, the Twenty Fifth day of September Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.18490 of 2015

SARATHKUMAR

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ARANTHANGI,PUDUKOTTAI DISTRICT.
(CRIME NO. 3 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.ILAYARAJA 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.3 of 2015 on the file of the respondent police, was arrested on 17.04.2015 for the alleged offences punishable under Sections 376(2)(h) of I.P.C., r/w. Sections 3 and 4 of Protection of Children from Sexual Offences Act, 2012 and hence, seeks bail.

2. The case of the prosecution is that on 12.04.2015, at 8.00 p.m., when the daughter of the de-facto complainant had gone to attend the natures call, the accused took her by force and attempted to rape her.

3. The learned counsel for the petitioner submitted that the petitioner and the de-facto complainant are close relatives and the petitioner was having love affair with the daughter of the de-facto complainant which was opposed by the de-facto complainant's family members.

4. The learned counsel for the petitioner further submitted that even as per the statement of the de-facto complainant, the petitioner had only attempted to rape her and he has been in judicial custody since 17.04.2015 and the respondent has also completed the investigation and filed a charge sheet in this case.

5. The learned Government Advocate (Crl.side) submitted that the victim is aged about 15 years and on 12.04.2015, the victim was taken by force by the accused and also committed rape.

6. This Court has gone through the statement of the alleged victim and considering the stage of the investigation 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 Mahila Court, Pudukottai and on further condition that the petitioner shall co-operate for completion of the trial.

sd/-
25/09/2015

WEB COPY / TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ARANTHANGI, PUDUKOTTAI DISTRICT.

2. THE MAHILA COURT, PUDUKOTTAI.

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

4. THE OFFICE INCHARGE, BORSTAL SCHOOL, PUDUKOTTAI.

+1. CC to M/S R.ILAYARAJA Advocate SR.No.56610

ORDER
IN
CRL OP(MD) No.18490 of 2015
Date :25/09/2015

GJM/SKS/RR/SAR-I-28.9.15-2P-6C