



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

Thursday, the Fifteenth day of October Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

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CRL OP(MD) No.19802 of 2015

KUMARESAN ... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.
(CRIME NO. 397 / 2015) ... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.MAHENDRAN 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 arrayed as A1 in Crime No.397 of 2015 for the offences punishable under Sections 376, 493, 294(b) and 506 (i) IPC, on the file of the respondent Police, was arrested and remanded to judicial custody on 25.09.2015. He seeks bail.

2.According to the de facto complainant that the accused and the de facto complainant are relatives and the accused gave a false promise to marry her and had sexual intercourse with her and when she went to the house of the accused on 22.09.2015 and asked to marry her, the accused and the parents abused her in filthy language and also threatened her with dire consequences.

3.The learned counsel for the petitioner submitted that the de facto complainant is aged 26 years and even according to the de facto complainant the petitioner had sexual relationship with her consent and therefore, the offence of rape is not made out in this case. It is further submitted that the petitioner was working in Indian Army and after registering the case, he lost his job also.

4.Heard the learned Government Advocate (Crl.side) appearing for the respondent.

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 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 No.III, Dindigul and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
15/10/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL.
 - 2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL.
 - 3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION,
DINDIGUL DISTRICT.
 - 5 THE OFFICER INCHARGE,
DINDIGUL DISTRICT PRISON, DINDIGUL.
- +2. CC to M/S P.MAHENDRAN Advocate SR.No.61344

ORDER
IN
CRL OP(MD) No.19802 of 2015
Date :15/10/2015

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