



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

Monday, the Seventh day of December Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.23054 of 2015

MURUGAN @ KARADI MURUGAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGUDI, PUDUKKOTTAI DISTRICT.
(IN CRIME NO. 6 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S G.MATHAVAN Advocate

For Respondent : M/S.K.Anbarasan Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

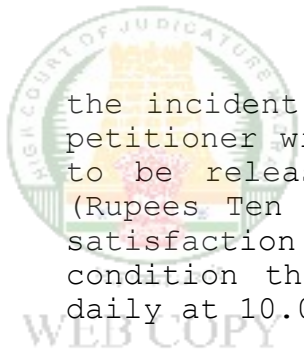
The petitioner/sole Accused, who was arrested and remanded to judicial custody on 03.10.2015 for the alleged offences punishable under Sections 376(1) of IPC and Section 3 and 4 of Protection of Child from Sexual Harassment Act, 2012, in Crime No.6 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 02.10.2015 while the defacto complainant watching T.V., in her relatives house, the petitioner forcibly took the defacto complainant into the room and had sexual intercourse and subsequently, he refused to marry her.

3.The case of the petitioner is that both the petitioner and the defacto complainant are lovers. On seeing them together, the parents of the defacto complainant forced her to give complaint. After giving complaint, both the parents agreed for the marriage. The defacto complainant is studying +2 and after attaining majority, the marriage between the petitioner and defacto complainant will be arranged.

4.The learned Government Advocate (Crl.side) submitted that the petitioner forcibly had sexual intercourse with the defacto complainant and subsequently, refused to marry her and the investigation is pending. This Court by the order, dated 06.11.2015, dismissed the earlier bail petition filed by the petitioner.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 03.10.2015 and taking into consideration that the circumstances in which



the incident has taken place, 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, Alangudi and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
07/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ALANGUDI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, ALANGUDI, PUDUKKOTTAI DISTRICT.
- 5 THE OFFICER INCHARGE, DISTRICT PRISON, PUDUKKOTTAI.

+1. CC to M/S G.MATHAVAN Advocate SR.No. 69654.

TS/07.12.2015/2P-7C/DP-JGB/SAR - I

ORDER
IN
CRL OP(MD) No.23054 of 2015
Date :07/12/2015