



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

Friday, the Eighteenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.24194 of 2015

SELVARAJ

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VADAMADURAI,
DINDIGUL DISTRICT.
(CRIME NO.27/2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S A.ANANDAN Advocate

For Respondent : Mr.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 03.12.2015 for the alleged offence punishable under Sections 376 and 506(i) of the Indian Penal Code in Crime No.27 of 2015 on the file of the respondent police and hence, seeks bail.

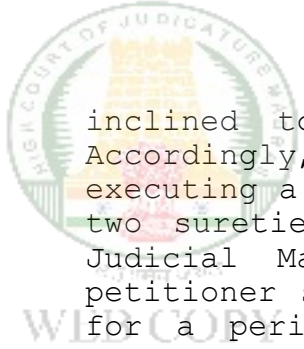
2. The case of the prosecution is that when the defacto complainant was alone in her house, the petitioner entered into her house and raped her. On complaint, the case has been registered for the offences under Sections 376 and 506(i) I.P.C.

3. The case of the petitioner is that he is innocent and he has not committed any offence as alleged by the prosecution. Due to the dispute between the defacto complainant's husband and the petitioner, both were arrested and a compromise was arrived at between the petitioner and the defacto complainant's husband. Due to that enmity, the defacto complainant's husband forced the defacto complainant to give a false complaint.

4. The learned Counsel for the petitioner submitted that the defacto complainant's husband gave a statement before the police that the petitioner and the defacto complainant are having illicit relationship and due to that, they had a fight and subsequently they were arrested and further stated by the husband of the defacto complainant that he will settle the issue before the family Court and till such time, he will not indulge in criminal activities. Due to that, he forced the defacto complainant to give false complaint.

5.The learned Government Advocate (Crl.Side) submitted that when the defacto complainant was alone in her house, the petitioner entered into her house and raped her. On complaint, the case has been registered and the investigation is pending.

5. Considering the fact that the defacto complainant's husband gave a statement about the illicit relationship of the defacto complainant and the petitioner and the alleged occurrence took place on 21.11.2015 and the complaint was given on 03.12.2015, 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 Judicial Magistrate, Vedsanthur and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required for interrogation.

sd/-
18/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VEDASANTHUR, DINDIGUL DISTRICT.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
 - 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE SUB INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, VADAMADURAI, DINDIGUL DISTRICT.
 - 5 THE OFFICER INCHARGE, DISTRICT JAIL, DINDIGUL.
- +1. CC to M/S A. ANANDAN Advocate SR.No.72595

ORDER IN
CRL OP(MD) No.24194 of 2015
Date :18/12/2015

PBK/SK-SKN/SAR-II 18/12/2015 ::2P-7C::