



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

Thursday, the Thirtieth day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.8394 of 2015

M.S. MURUGESAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY

THE INSPECTOR OF POLICE

ALL WOMEN POLICE STATION, CANTONMENT, TRICHY DISTRICT

CRIME NO.16/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

For Respondent : M/S.A.P.BALASUBRAMANI

Govt. Advocate (Crl. Side)

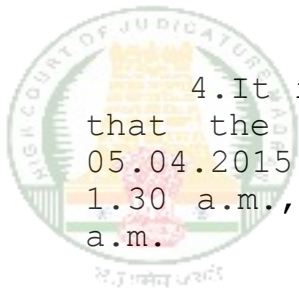
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as the sole accused, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 417 and 376 of I.P.C. in Crime No.16 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that one Parimala lodged a complaint alleging that the accused had illicit relationship with her and also borrowed Rs.4 lakhs from her. When he suspended from service, but he did not repay the amount. Whiles, on 25.04.2015 the petitioner came to her house at 1.30 a.m., and slept in her house and at 6.30 a.m., he raped her.

3.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has been falsely implicated in this case. The learned counsel further submitted that in the earlier complaint, the father of the de-facto complainant appeared and gave a statement stating that she is living a wavered life.



4.It is submitted by the learned Government Advocate (Crl.side) that the de-facto complainant is aged about 35 years and on 05.04.2015 the accused came to the de-facto complainant's house at 1.30 a.m., and after consuming alcohol, he committed rape at 6.30 a.m.

5.Considering the facts and circumstance of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Trichy and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m. for period of two weeks. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
30/04/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II, TRICHY
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT
3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4.THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, CANTONMENT, TRICHY DISTRICT
+1. CC to M/S.M.SUBASH BABU Advocate SR.No.24392
RL/6 C- 6/5/2015

ORDER
IN
CRL OP(MD) No.8394 of 2015
Date :30/04/2015