



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

Wednesday, the Twenty Ninth day of April Two Thousand Fifteen

PRESENT

WEB COPY **The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP (MD) No.8418 of 2015

1 AYYAVU

2 MUTHU

... PETITIONERS / ACCUSED NOS.2 & 4

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION,

VIRUDHUANGAR, VIRUDHUNAGAR DISTRICT.

CRIME NO.8/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU, Advocate

For Respondent : M/S.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

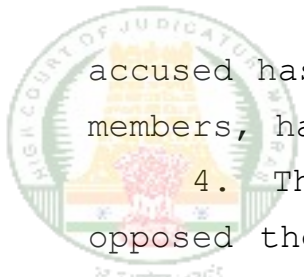
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 and A4, were arrested on 13.03.2015 and remanded to judicial custody for the alleged offence punishable under sections 417, 376 and 506(ii) of I.P.C r/w. Section 4 of Prevention of Child from Sexual Offences Act, in Crime No.8 of 2015 on the file of the respondent police and hence, seek bail.

2.It is the case of the prosecution that the first accused under false promise had raped the defacto complainant and that the other accused have threatened the defacto complainant.

3. The learned counsel for the petitioners submitted that the first accused surrendered voluntarily before the police on 13.03.2015 and he was remanded to judicial custody, while the accused Nos.2 and 4 were arrested by the police on the same day and remanded to judicial custody. The third accused is the mother, the fifth accused is the sister and the sixth accused is the brother of the first accused and the accused Nos.7 and 8 are paternal uncle and his son respectively. He would further submit that the main



accused has already surrendered and the petitioners, who are family members, have been falsely implicated in this case.

4. The learned Government Advocate (crl. side) vehemently opposed the application stating that the first accused under false promise raped the de-facto complainant and the other accused have threatened the defacto complainant.

5. However, considering the overt acts attributed against these petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail, on each of them 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 Judicial Magistrate Court No.II, Virudhunagar and on further condition that the petitioners shall report before the respondent police daily at 10.00 a.m until further orders.

sd/-
29/04/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR @ SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, VIRUDHUANGAR,
VIRUDHUNAGAR DISTRICT.
 - 4 THE OFFICER IN-CHARGE, DISTRICT PRISON, VIRUDHUNAGAR.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.G.MARIMUTHU, Advocate SR.No.23404.

ORDER IN
CRL OP(MD) No.8418 of 2015
Date :29/04/2015

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