



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

Wednesday, the Nineteenth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.8806 of 2017

SENTHIL KUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
PUDUKKOTTAI DISTRICT,
CRIME NO.6/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.KUMARADESIGAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

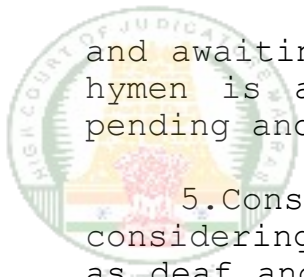
ORDER : The Court Made the following order :-

The petitioner / sole accused, who was arrested on 13.05.2017 for the offences punishable under Sections 376 and 506(i) IPC in Crime No.6 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is a married man and the victim lady is a mentally retarded and also deaf and dumb lady. On 12.05.2017 the petitioner raped the victim lady and also criminally intimidated.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is working as a Driver and after completing his work at night hours, he was going near the house of the victim and at that time, a person ran away from the house of the victim, however, he could not identify the person, who ran away. But the village people have mistakenly come to the conclusion that the petitioner had committed the offence of rape and reported to the defacto complainant, who is the brother of the victim lady.

4.The learned Additional Public Prosecutor on instruction would submit that the petitioner is the sole accused in this case. He also submitted that 164 statement is also recorded from the victim



and awaiting for Chemical analysis report and as per medical report hymen is absent. He also submitted that investigation is still pending and he strongly opposed for granting bail to the petitioner.

5. Considering the facts and circumstances of the case and considering the fact that the victim is a mentally retarded as well as deaf and dumb lady and also considering the medical report, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

sd/-

19/07/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, PUDUKKOTTAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE OFFICER-IN-CHARGE, SUB JAIL, TUTICORIN.

NBJ

CSL/CM-MSA/SAR-IV/27.07.2017 : 2P/4C

ORDER

IN

CRL OP(MD) No.8806 of 2017

Date :19/07/2017