



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

Thursday, the First day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1531 of 2018

SURESH KUMAR

... PETITIONER/PETITIONER/ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMAYAM,
PUDUKKOTTAI DISTRICT.
IN CR.NO. 7/2016

... RESPONDENT/RESPONDENT/COMPLAINANT

For Petitioner :M/S.J.SIVARAM Advocate

For Respondent :MR.K.SUYAMBULINGA BHARATHI Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

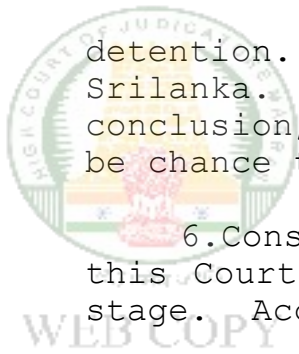
The petitioner, who was arrested on 09.04.2017 for the offence punishable under Section 363 IPC & Section 5(n), 6 of POSCO Act in Crime No.7 of 2016, seeks bail.

2.The case of the prosecution is that the petitioner, who is a married man, made physical contact forcibly with the de facto complainant, who is aged about 17 years.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 09.04.2017 onwards.

4.The learned Government Advocate (Crl.side) submitted that the petitioner herein, on 02.06.2017 tried to escape from the prison. According to him, investigation is completed.

5.The submissions made by the learned counsel appearing on either side are considered. The petitioner is in judicial custody from 09.04.2017 onwards. It is alleged that during the time of occurrence, the petitioner took the victim to his friend's house and made inter course without her consent. At the time of occurrence, the de facto complainant was aged about 17 years. Even though, investigation is completed in this case, the petitioner herein, on 02.06.2017, tried to escape from the prison where he was under



detention. Further more, the petitioner is the resident of Srilanka. Considering the above aspects, this Court came to the conclusion, if this type of accused is released on bail, there will be chance to tamper the witnesses and hamper the investigation.

6. Considering the above facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-

01/02/2018

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

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, THIRUMAYAM,
PUDUKKOTTAI DISTRICT.
- 2 THE SUPERINTENDENT,
PUZZAL PRISON, CHENNAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.1531 of 2018

Date :01/02/2018

MKV-PM-PN-SAR 1/7.2.2018/2P-4C