



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

Thursday, the Eleventh day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.17944 of 2018

DHANASEKARAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.
CRIME NO.11 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.KARTHICK SUBRAMANIAN Advocate

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 366, 342, 354 (C), 376(D), 506(ii) I.P.C and 67 of Information Technology (Amendment) Act 2008, in Crime No.11 of 2018, seeks bail.

2.The case of the prosecution is that the defacto complainant was standing near Muniyandi Temple, Sivagangai at about 11.00.am., for purchasing fish, the first accused parked his Auto and pickup her. When the defacto complainant was tried to get down from the Auto, other three persons were also get in the auto. Thereafter, the accused persons committed rape on the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that there is a delay for lodging the complaint and also she is immoral woman. Therefore, on payment of money, they had sexual intercourse with the defacto complainant. She is aged about 35 years. Further he would submit that the petitioner is an innocent and he has no previous antecedents and also submitted that he has arrested and remanded to judicial custody on 20.08.2018.

4.The learned Additional Public Prosecutor submitted that the case of the hang rape and the defacto complainant is not a prostitute. Therefore, he vehemently opposed to grant of bail to the petitioner.



5. Taking note of the facts and circumstances, this Court is not inclined to grant bail to the petitioner. Therefore, this Criminal Original Petition is dismissed.

sd/-
11/10/2018

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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,
SIVAGANGAI, SIVAGANGAI DISTRICT.
2. THE OFFICER INCHARGE, SUB JAIL,
SIVAGANGAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.17944 of 2018
Date : 11/10/2018

MS/PN/SAR-2/25.10.2018/2P.4C