



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

Thursday, the Sixteenth day of August Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.14398 of 2018

MARUTHUPANDIAN

... PETITIONER / ACCUSED NO.2

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CHOLAVANDAN POLICE STATION,
MADURAI DISTRICT.
CRIME NO.366 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : MR.K.S.DURAIPANDI, 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 :-

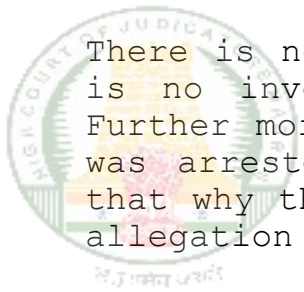
The petitioner was arrested on 05.08.2018 for the offences punishable under Sections 341, 448, 506(i) of IPC and 11 (IV) 12 of POCSO Act 2012, in Crime No.366 of 2015 on the file of the respondent police. He seeks bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The case of the prosecution is that the first accused one Rajkumar along with his sister namely Viji threatened and compelled the defacto complainant to love the first accused. Thereafter, the defacto complainant attempted to commit suicide on 20.12.2015. On 28.12.2015, the first accused trespassed into the defacto complainant's house and threatened the defacto complainant to love him. Hence, the complaint.

4.The learned counsel for the petitioner would submit that the complaint of the year 2015 and the first accused already arrested and released on bail. The petitioner is the employer of the first accused's father. There is no allegation, even in the F.I.R., as against the petitioner herein.

5. It seen from the records that the petitioner is the employer of the first accused's father only on the statement recorded under Section 164 of Cr.P.C., the petitioner was impleaded as an accused.



There is no specific overt act as against the petitioner and there is no involvement in the alleged occurrence of the petitioner. Further more, the complaint is of the year 2015 and the petitioner was arrested on 05.08.2018. This Court is not able to understand that why the respondent police arrest the petitioner and under what allegation the petitioner was arrested.

6. Considering the facts and circumstances, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions:

(i) the petitioner shall execute 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 Sessions Court, Mahila, Madurai.

(ii) the petitioner shall appear before the respondent police as and when required.

sd/-

16/08/2018

/ TRUE COPY /

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

TO

1. THE SESSIONS JUDGE, MAHILA, MADURAI.
 2. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
 3. THE INSPECTOR OF POLICE,
CHOLAVANDAN POLICE STATION, MADURAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.K.S.DURAIPANDI Advocate SR.No.15652

ORDER

IN

CRL OP(MD) No.14398 of 2018

Date :16/08/2018

MS/PN/SAR-1/16.08.2018/2P.6C