



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.14578 of 2018

OTHASAI RAJA

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

ALL WOMEN POLICE STATION,

SRIVAIGUNDAM, THOOTHUKUDI DISTRICT.

IN CRIME NO.15 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.VEILKANI RAJU Advocate

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

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

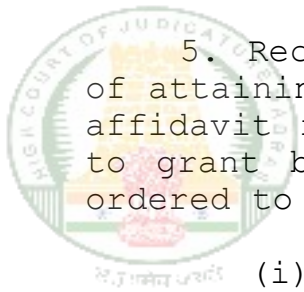
ORDER : The Court Made the following order :-

The petitioner is in judicial custody on 10.07.2018 for the offences punishable under Sections 5(i) (ii), 5(1) and 6 of Protection of Child from Sexual Offences Act, 2012, in Crime No.15 of 2018 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 complainant is the mother of the victim girl aged about 17 years. The victim girl fell sick and that she was taken to the Hospital on 21.06.2018 and found that she was pregnant. The victim girl informed that she fell in love with the petitioner and they had sexual intercourse. Hence, the complaint.

4.The learned counsel for the petitioner would submit that the petitioner's family and the victim's family are close relatives. The petitioner fell in love with the victim girl and she is a minor girl aged about 17 years. He could not married her now. Further he also filed a supporting affidavit from the mother of the complainant Ms. Selvam, D/o.Esakku, stating that both the families entered into compromise in the presence of elders of the relatives and neighbours. In the said compromise, the petitioner under take to marry the victim girl after attaining the majority.



5. Recording the said submission, the victim girl is in verge of attaining the age of majority and also considering the supporting affidavit filed by the defacto complainant, 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 Mahalir Neethimandram (Fast Track Mahila Court), Thoothukudi.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks, thereafter, 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 JUDGE,
MAHALIR NEETHIMANDRAM (FAST TRACK MAHILA COURT),
THOOTHUKUDI.
 2. THE OFFICER INCHARGE, DISTRICT JAIL,
PERURANI, THOOTHUKUDI.
 3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIVAIGUNDAM, THOOTHUKUDI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.M.VEILKANI RAJU Advocate SR.No.15629

ORDER

IN

CRL OP (MD) No.14578 of 2018

Date : 16/08/2018

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