



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

Wednesday, the Twenty Sixth day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.15556 of 2018

K. NAGARAJAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
THIRUPPARANKUNDRAM AWPS,
MADURAI DISTRICT.
(CR.NO.9 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.V.B.SUNDHARESHWAR 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 since 14.07.2018 for the offence punishable under Sections 5(m), 5(1) and Section 6 of Protection of Children from Sexual Offences Act, 2012, in Crime No.9 of 2018, on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 13.07.2018 at about 11 a.m, the petitioner was taken the victim girl to his house and made sexual harassment. When the neighbour, namely, Ramalakshmi, questioned the same, the petitioner attacked with wooden log on the said Ramalakshmi, therefore, she was sustained injury. Thereafter, it was informed to the de-facto complainant, who is the mother of the victim girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the said Ramalakshmi as a tenant of the petitioner's house and she was doing brothel business in the said house. Therefore, immediately she was vacated by the petitioner. Therefore, due to previous enmity between the petitioner and the said Ramalakshmi, a false case has been foisted against the petitioner. Hence, he prays for grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent would submit that the victim girl is aged about 9 years. On the date of occurrence, the petitioner was taken the victim girl and gave sexual harassment to the victim girl. The statement of the victim girl also recorded.

5. It is seen that the petitioner was arrested and remanded into judicial custody on 14.07.2018 also he is having previous enmity with the said Ramalakshmi.

6. Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, 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 Judge, Mahalir Neethimandram, Madurai District.

(ii) the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders;

sd/-
26/09/2018

/ TRUE COPY /

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

TO

- 1 THE SESSIONS JUDGE,
MAHALIR NEETHIMANDRAM, MADURAI DISTRICT.
- 2 THE INSPECTOR OF POLICE,
THIRUPPARANKUNDRAM AWPS., MADURAI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.V.B.SUNDHARESHWAR Advocate SR.No.18302

ORDER
IN
CRL OP(MD) No.15556 of 2018
Date :26/09/2018