



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

Monday, the First day of October Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.17013 of 2018

MANIKANDAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
(IN CR NO. 6 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.SARAVANAKUMAR Advocate

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

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

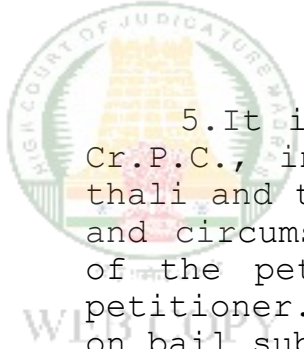
ORDER : The Court Made the following order :-

The petitioner is in judicial custody since 15.08.2018 for the offences punishable under Sections 366, 417 I.P.C and Section 9 of Prohibition of Child Marriage Act, 2006, r/w Sections 3 & 4 of Protection of Child from Sexual offences Act, 2012, in Crime No.6 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that on 13.08.2018, the petitioner kidnapped the victim girl and performed marriage and thereby, he attempted to commit sexual assault upon her. Thereafter, on 14.08.2018, the petitioner as well as the victim girl were secured. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent. Due to love affair developed between the petitioner and the victim, the victim went along with the petitioner and performed marriage. He further submitted that the petitioner is in incarceration from 15.08.2018 onwards. Hence, he prays for bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the victim girl was secured and the investigation is pending.



5.It is seen from the statement recorded under Section 164 (5) Cr.P.C., in which, the victim stated that the petitioner tied up thali and tried to intercourse with her. Considering the above facts and circumstances 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 (Mahila Fast Track Court), Virudhunagar District at Srivilliputhur.

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

sd/-
01/10/2018

/ TRUE COPY /

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

TO

- 1 THE SESSIONS JUDGE,
MAHALIR NEETHIMANDRAM (MAHILA FAST TRACK
COURT), VIRUDHUNAGAR DISTRICT AT
SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, SATTUR,
VIRUDHUNAGAR DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.KALAIYARASI BHARATHI, Advocate SR.No. 18649

ORDER
IN
CRL OP (MD) No.17013 of 2018
Date :01/10/2018