



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

Thursday, the Thirteenth day of June Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.7826 of 2019

RAJA

... PETITIONER /SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KODAIKANAL,
DINDIGUL DISTRICT.
CRIME NO.1 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.O.AYYAR 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 :-

This petition has been filed by the petitioner/ sole accused seeking bail for the alleged offence under Sections 451,376 and 511 of IPC.

2. Heard both sides

3. The learned counsel for the petitioner would submit due to previous enmity the defacto complainant has lodged a false complaint against the petitioner herein. He further submitted that the petitioner herein was arrested and remanded to judicial custody on 23.04.2019 and he is in custody for the past 52 days. He further submitted that by this time investigation might have been completed. Therefore he prayed to grant bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the victim is the sister of the defacto complainant's husband and the said victim is deaf and dumb lady and taking advantage of the said disability, the petitioner trespassed into the house of the defacto complainant and attempted to commit rape. Hence he strongly opposed to grant bail to the petitioner.



5. Taking into consideration all the allegations made against the petitioner and also the fact the petitioner is in custody for the past 52 days and by this time major part of the investigation might have been completed this Court is inclined to grant bail to the petitioner by imposing conditions:

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[a] the petitioner is ordered to be released on bail on his executing 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 Judicial Magistrate, Kodaikanal, Dindigul District

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m for a period of one month and thereafter, as and when required for the interrogation.

[c] the petitioner shall not abscond either during investigation or trail.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trail.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
13/06/2019

/ TRUE COPY /

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

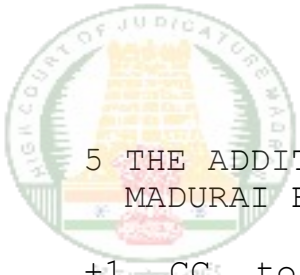
TO

1 THE JUDICIAL MAGISTRATE,
KODAIKANAL, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KODAIKANAL, DINDIGUL DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
4 THE OFFICER INCHARGE,
DISTRICT JAIL, DINDIGUL.



5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.ASOK KUMAR RAM, Advocate (SR-9649[I] dated
14/06/2019)

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ORDER

IN

CRL OP(MD) No.7826 of 2019

Date :13/06/2019

JM/PN/SAR 3/14.06.2019/3P/7C