



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

Friday, the Eleventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21858 of 2018

SHANMUGAM

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
Crime No.492/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.S.PALANI VELAYUTHAM Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

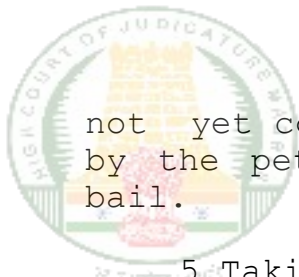
ORDER : The Court Made the following order :-

The petitioner, who was arrested on 12.10.2018 for the offence punishable under Sections 342,363 and 506(ii) of IPC @ 346, 365, 370, 376 and 506(ii) of IPC in Crime No.492 of 2018 on the file of the respondent police, seeks bail

2. The case of the prosecution is that the kidnapped the wife of the defacto complainant and confined her in the room and raped her and when the defacto complainant went to rescue his wife, he came to know that the his wife and five other mentally challenged persons were abducted and confined in the lodge run by the petitioner and when the defacto complainant questioned the same, the petitioner threatened him with dire consequences.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case and he has nothing to do with the alleged offence and therefore he may be granted bail.

4. The learned Government Advocate(Crl.Side) would submit that <https://hdservices.courts.gov.in/hdservices/> had sexual intercourse with the defacto complainant and other physically challenged persons in several occasions several times. He would also submit that the investigation in this case is



not yet completed. He would also submit that the offence committed by the petitioner is heinous in nature and opposed for grant of bail.

5. Taking into consideration the serious nature of allegations in the First Information Report and fact that there is no change in the fact situation, this court is of the view that this petition is liable to be dismissed as being devoid of merits.

6. In the result, this petition is dismissed.

sd/-
11/01/2019

/ TRUE COPY /

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

TO

1. THE SUB INSPECTOR OF POLICE,
PANAGUDI POLICE STATION,
TIRUNELVELI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.21858 of 2018
Date : 11/01/2019

TK/VR/SAR-1/22.01.2019/2P/4C