



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.11875 of 2022

WEB COPY

Murugan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.
Crime No.87 of 2022.

... Respondent/Complainant

For Petitioner : M/s.G.Thalaimutharasu, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.87 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

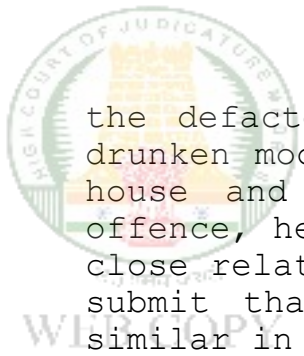
The petitioner/Sole Accused, who were arrested on 09.06.2022 for the alleged offences under Sections 448, 352 and 354(A) of IPC, in Crime No.87 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant and the petitioner are neighbours. On 06.05.2022 at about 12.00 a.m., the petitioner broke-open the defacto complainant's Door and entered into the house and molested by touching her private parts. When she shouted, the inmates of the house and neighbours came. On seeing the neighbours, the petitioner ran away from there. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that because of some previous enmity, a false case has been foisted against this petitioner. He would further submit that the petitioner is in judicial custody from 09.06.2022.

4.The respondent police present before this Court and he has submitted that the petitioner is running chicken shop in front of

<https://www.mhc.tn.gov.in/judis>



the defacto complainant's house. On the date of occurrence a drunken mode, the petitioner entered into the defacto complainant's house and tried to misbehave with her. In respect of previous offence, he would further submit that the said issue was between the close relatives and it is not related to this case. He would further submit that no previous case is pending against this petitioner similar in nature.

5. Heard the learned Government Advocate (Crl. side) appearing for the respondent police.

6. It appears that as stated by the respondent police in a drunken mode, the petitioner entered into the defacto complainant house and tried to misbehave with her.

7. Considering the facts and circumstances of this case and considering the period of incarceration, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing a personal 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, Radhapuram, and on further condition that the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

06/07/2022

/ TRUE COPY /

06/07/2022

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE, RADHAPURAM

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.

3 THE OFFICER INCHARGE, SUB JAIL, NANGUNERI.

4 THE INSPECTOR OF POLICE, RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.



CRL OP(MD).A



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

ORDER IN
CRL OP (MD) No.11875 of 2022
Date :06/07/2022

RS/PN/SAR.4 (06.07.2022) 3P-6C