



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Reserved on : 12.09.2022

Pronounced on : 14.09.2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.12932 of 2022

Bose ... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Paramakudi All Women Police Station,
Ramanathapuram District
(Crime No. 10 of 2021).

... Respondent/Complainant

For Petitioner : M/s. Arunraj.K,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.10 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 08.07.2022 for the offences punishable under Sections 451,376(2)(l), 376(2)(n), 506(i) of IPC in Crime No.10 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner on false promise of marrying the victim, who is a mentally retarded person had sexual relationship with her, hence the case came to be registered.

3.The learned counsel for the petitioner would submit that one due to previous enmity a false case has been foisted against



the petitioner. He would further submit that the occurrence took place during the month of January 2021 and the complaint was lodged only during the month of July 2021. He would further submit that the petitioner is in judicial custody from 08.07.2022, hence he seeks bail.

4. The learned Additional Public Prosecutor would submit that the victim is a mentally retarded person. The accused was already a married man and he is having two children. He would submit that the case stands posted for examination of LW.1 on 09.09.2022 hence opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the attitude of the petitioner in having sexual relationship with the mentally retarded person, this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-
14/09/2022

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/09/2022

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

AAV

TO

1. THE SUPERINTENDENT,
CENTRAL JAIL, MADURAI.
2. THE INSPECTOR OF POLICE,
PARAMAKUDI ALL WOMEN POLICE STATION,
RAMANATHAPURAM DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12932 of 2022
Date : 14/09/2022

RK/SVR/SAR-1(16/09/2022) 2P/4C