



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Dated: 31/01/2022

WEB COPY

PRESENT

The Hon'ble Mr.Justice **G.ILANGOVA**

Crl.OP(MD)No.20393 of 2021

Mahendhiran

... Petitioner/Sole Accused

Vs.

The State by
The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
(Crime No.618 of 2021)

... Respondent/Complainant

For Petitioner : Mr.K.Prakash, Advocate.
For Respondent : Mr.SS.Madhavan
Government Advocate (Crl. side)

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

PRAYER :-For Bail in Crime No.618 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

The petitioner, who is arrayed as sole accused was arrested and remanded to judicial custody on 24.11.2021 for the offences punishable under sections 448, 294(b), 376 and 511 IPC, in Crime No.618 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 24.11.2021 when the de-facto complainant and her two children were sleeping in the house, the petitioner trespassed into the house of the de-facto complainant and tried to rape her and also scolded in filthy language. After raising alarm, the petitioner escaped from the place of occurrence.

3.Heard both sides.

4.Even though, the petitioner is facing the charges for the offences under sections 448, 294(b), 376 and 511 IPC, the learned counsel appearing for the petitioner would submit that there is purely a false case foisted against this petitioner for the purpose of wreaking vengeance, since they are having previous motive.



5. According to the learned counsel appearing for the petitioner, the de-facto complainant and the wife of the petitioner are close friends and the wife of the petitioner developed some sort of affair through the de-facto complainant, she is also having affair with one Rajesh. It was objected by the petitioner and because of that only, there was a wordy quarrel between them. Only upon the above said incident, this false case has been foisted and it is a matter for investigation.

6. The earlier bail application that was filed by the petitioner was dismissed by the Principal District and Sessions Judge, Tiruchirapalli, in Cr.MP No.5552 of 2021, dated 07/12/2021 on the ground that the earlier bail application was dismissed on 01/12/2021 and there was no change of circumstances.

7. The learned Government Advocate (Criminal side) would submit that the petitioner is also involved in Crime No.14 of 2021. But however, the particulars are not available.

8. Considering the above facts and circumstances of the case and also considering the duration of the custody of the petitioner and since major portion of the investigation might have been over by this time, this court is inclined to grant bail to the petitioner with certain conditions.

9. Accordingly, 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, Thuraiyur, Trichy District and on further condition that the petitioner shall report before the respondent police once in 15 days at 10.00 a.m. until further orders.

sd/-
31/01/2022

/ TRUE COPY /

31/01/2022
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,
THURAIYUR, TRICHY DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE
THURAIYUR POLICE STATION,
TRICHY DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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

ORDER

IN

CRL OP (MD) No.20393 of 2021

Date :31/01/2022

ER

MK/JM/SAR.II/31.01.2022/3P/6C