



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

Date : 24/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.5550 of 2023

Masanam @ Ajithkumar

... Petitioner / Sole Accused

Vs

The State Rep by
The Inspector of Police,
Pathamadai Police Station,
Tirunelveli District.
(Crime No.25/2023).

... Respondent / Complainant

For Petitioner : M/s.Sathya Chidambaram S, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.25/2023 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 20.02.2023 for the offence punishable under Sections 376(2)(1) of IPC in crime No.25 of 2023 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein who is aged about 23 years had committed rape on the victim , hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report and also the statement of the victim recorded under section 164 of Cr.P.C.

4. It is seen that the victim is a mentally retarded person and utilizing the said circumstances the petitioner had committed rape on the victim. Hence he has committed a very serious and heinous



CRL OP(MD).



23

offence as against the victim, therefore this Court is inclined to grant bail to the petitioner.

5. In the result, the petition stands dismissed.

WEB COPY

sd/-
24/03/2023

/ TRUE COPY /

/03/2023

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

AAV

To

1.The Inspector of Police,
Pathamada Police Station,
Tirunelveli District.

2.The Superintendent,
Central Prison, Palayamkottai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

CRL OP(MD) No.5550 of 2023

Date :24/03/2023

ED/BUC/SAR-1 (29/03/2023) 2P 4C