



CRL OP(MD). No.16549 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 13/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.16549 of 2023

Madhan @ Packiraj

... Petitioner/ Accused No.2

Vs

State represented by  
The Inspector of Police,  
Peravurani Police Station,  
Thanjavur District.

... Respondent/Complainant

|                |   |                                                   |
|----------------|---|---------------------------------------------------|
| For Petitioner | : | M/s.K.R.Manimaran, Advocate                       |
| For Respondent | : | Mr.B.Nambiselvan,<br>Additional Public Prosecutor |

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

PRAYER :-

For Bail in Crime No.762 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2 herein, who was arrested on 27.08.2023 for the alleged offences under Sections 48, 376, 506(ii), 294(b) and 354(B) of IPC in Crime No.762 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl is the third daughter of the

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defacto complainant. On 28.11.2022, when the defacto complainant enquired her daughter, the victim girl stated that on 24.09.2022, the first accused has trespassed into her house, raped the victim girl and threatened her not to tell this incident to anyone. The second accused has also present at the scene of occurrence and threatened the victim girl. The accused 1 and 2 were working under the third accused. When the defacto complainant enquired the third accused, he alleged to have threatened the defacto complainant. Hence a complaint has been filed and the present case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent, he has not committed any offence as alleged by the prosecution. She has been falsely implicated in this case. Hence, she seeks for the relief of bail.

4. The learned Additional Public Prosecutor would submit that the third accused has been granted bail by the learned Principal Sessions Judge, Thanjavur on 27.04.2023 and the first accused has been granted anticipatory bail by this Court on 17.05.2023 in CrI.O.P(MD)No.8873 of 2023. The medical report is not yet received.

5. Considering the facts and circumstances of this case and also the fact that the co-accused have been granted bail and anticipatory bail, as the case may be, without going into the other aspect, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is



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ordered to be released on bail, on 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 District Munsif cum Judicial Magistrate, Peravurani, Thanjavur District, and on further condition that the petitioner shall stay at Trichy and appear before the respondent police daily at 10.30 a.m. until further orders.

sd/-

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13/09/2023

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

pnn

To

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
PERAVURANI, THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE, PERAVURANI POLICE STATION,  
THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE, DISTRICT JAIL, PUDUKOTTAI.

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

+1 CC to M/s.K.R.MANIMARAN, Advocate ( SR-13608[I] dated 13/09/2023 )



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ORDER

IN

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Date :13/09/2023

RS//SAR-(13.09.2023) 4P 7C

Madurai Bench of Madras High Court is issuing  
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