



CRL OP(MD). No.7922 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.7922 of 2024

Muthu

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Edamalaipatti Pudur Police Station,
Trichy District.

Crime No. 247 of 2024.

... Respondent/Complainant

For Petitioner : M/s. Haroon Rasheed.D.S,
Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

PRAYER :- For Anticipatory Bail in Crime No. 247 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.247 of 2024 for the offence under Section 354 I.P.C r/w. Section 4 of TNPHW Act altered as Sections 376 and 511 I.P.C., has filed this petition, seeking anticipatory bail.



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2. The case of the prosecution is that when the daughter of the defacto complainant, who is aged about 21 years old and mentally affected person, was herding the goats, the petitioner sexually assaulted her without her willingness.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He has produced a judgment of the Sessions Judge, Mahila Court, Tiruchirappallai, in S.C.No.163 of 2014, dated 19.11.2015 and submits that there is a motive between the petitioner's family and the defacto complainant's family and the petitioner is aged about 74 years and he is unable to walk without any assistance.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the investigation is yet to be completed. However, he fairly submits that the petitioner is not having any previous case.

5. Considering the facts and circumstances of the case, nature of offence and considering the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned learned Judicial Magistrate, on condition that:

(i) the petitioner executes a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each, for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Trichy;

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am until further orders. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the



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prosecution witnesses.

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(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

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24/06/2024

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/07/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. THE JUDICIAL MAGISTRATE NO.II, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3.THE INSPECTOR OF POLICE,
EDAMALAIPATTI PUDUR POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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ORDER
IN
CRL OP(MD) No.7922 of 2024
Date :24/06/2024

RK/GS(02/07/2024) 5P / 5C

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