



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

Tuesday, the Seventh day of July Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.12640 of 2015

... PETITIONER / ACCUSED no.1
Vs

state rep by

THE INSPECTOR OF POLICE

NITHIRAVILAI POLICE STATION, KANYAKUMARI DT,

CRIME NO.111/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.R.SREENIVASAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, was arrested and remanded to judicial custody on 13.04.2015 for the alleged offences punishable under Sections 366(A), 506(ii) of IPC and Section 4 of Protection of Children from Sexual Offences Act, in Crime No.111 of 2015 on the file of the respondent police and hence, seeks bail.

2.According to the prosecution, the accused have kidnapped the victim and by threat, the first accused had raped her.

3.The learned counsel appearing for the petitioner submitted that this is a case of love affair and the alleged victim is aged about 17 years and on her own volition, she joined with first accused. It is further submitted that according to the statement of the father of the alleged victim, on the date of occurrence she was living with her grand father and therefore, absolutely there is no possibility to kidnap the victim.

4.The learned Government Advocate (Crl.side) submitted that the petitioner has committed rape on the victim she was 17 years old and the investigation is at initial stage.

5.Considering the above facts, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-

07/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE OFFICERS INCHARGE
DISTRICT JAIL, KANYAKUMARI DISTRICT

2 THE INSPECTOR OF POLICE
NITHIRAVILAI POLICE STATION, KANYAKUMARI DISTRICT.

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

+1. CC to M/S.M.R.SREENIVASAN Advocate SR.No.37257
Sm:AMF:09.07.2015:1P/5C

ORDER

IN

CRL OP(MD) No.12640 of 2015

Date :07/07/2015