



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

Tuesday, the Third day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.19911 of 2015

A. ESWARAN ... PETITIONER / SOLE ACCUSED

Vs

STATE REP.BY ITS
THE INSEPECTOR OF POLICE
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
CR. NO.303 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.M.ANANTHA MURUGAN Advocate

For Respondent : Mr.K.Anbarasan, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 21.08.2015 for the alleged offences punishable under Sections, 363, 366(A), 376 and Sections 3 & 4 of POCSO Act, 2012, in Crime No.303 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 02.08.2015, the petitioner kidnapped the minor girl Sathya aged about 17 years and committed the offence punishable under Sections 363, 366(A), 376 and Sections 3 & 4 of POCSO Act, 2012 and hence the defacto complainant, who is the father of the victim girl, lodged a complaint before the respondent and the respondent police registered a case in Crime No.303 of 2015 and remanded the petitioner on 21.08.2015.

3.It is submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in this case and he has not committed any offence. He has also submitted that the petitioner is in judicial custody for more than 75 days.

4.The learned Government Advocate (Crl.Side) would submit that the respondent police is awaiting for medical report; the investigation is pending and that the petitioner is a married man and if he is released on bail, he will tamper the investigation.

5.From the records, it is seen that the alleged offence is serious in nature and the investigation is pending and on the side of the prosecution there is serious objection for granting bail to the petitioner.



6. Considering the facts and circumstances of the case and also considering the gravity of the offence coupled with the submission made by the learned Government Advocate (crl. side), this Criminal Original Petition is dismissed.

sd/-
03/11/2015

WEB COPY / TRUE COPY /

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

TO

- 1 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR
- 2 THE INSEPECTOR OF POLICE
VACHAKARAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

sm:KBM:SAR II:06.11.2015:2P/4C

ORDER
IN
CRL OP(MD) No.19911 of 2015
Date :03/11/2015