



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

Tuesday, the Twenty Fourth day of November Two Thousand Fifteen

PRESENT

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

CRL OP (MD) No.20528 of 2015

MUGILAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
THANTHAYANKARPET POLICE STATION,
TRICHY DITRICT. CRIME NO.56 OF 2013 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.VIJAYALAKSHMI 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, who is arrayed as the sole accused, in Crime No.56 of 2013 on the file of the respondent police, was arrested and remanded to judicial custody on 06.10.2015, for the alleged offences punishable under Sections 366(A) of I.P.C., @ Sections 4 and 5 (L) of Protection of Children from Sexual Act, 2012 and hence, seeks anticipatory bail.

2.Though the case was posted under the caption for dismissal, no one appeared for the petitioner before this Court.

3.The case of the prosecution is that on 04.04.2013 the daughter of the de-facto complainant went to birthday party and she did not return the home and on verification, it was found that the petitioner kidnapped the minor girl, who is the daughter of the de-facto complainant.

4.The learned counsel for the petitioner submitted that both the petitioner and the daughter of the de-facto complainant loved each other and the daughter of the de-facto complainant on her own volition joined with the petitioner and both of them married on 04.04.2013 at Thiruverkadu Amman Temple. He further submitted that the parents of the victim girl prevented the victim girl from living with the petitioner and has given a false complaint.

5.The learned Government Advocate (Crl.side) on instruction would submit that at the time of incident took place, the victim



girl was minor and the petitioner was absconding for more than two years and the investigation is pending. He further submitted that three cases are pending against the petitioner for the same nature and already this Court by order dated 29.10.2015 dismissed the application in Crl.O.P.(MD).No.20528 of 2015 and if the petitioner is enlarged on bail, he will tamper the witnesses.

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6.Considering the gravity of offences, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-
24/11/2015

/ TRUE COPY /

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

TO

- 1 THE SESSIONS JUDGE, MAHILA COURT, TRICHY DISTRICT
- 2 DO THRO THE PRICIPAL SESSIONS JUDGE, TRICHY DISTRICT
- 3 THE INSPECTOR OF POLICE
THANTHAYANKARPET POLICE STATION, TRICHY
- 4 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP (MD) No.20528 of 2015
Date : 24/11/2015

AA/SK-SKN/SAR-I/27.11.2015/2p-6c