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

Monday, the Twenty Third day of November Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.21715 of 2015

M.MARIMUTHU ... PETITIONER/ACCUSED

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SRIVAIKUNTAM, THOOTHUKUDI DISTRICT.
(CR.NO. 18 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.M.MOHAN GANDHI 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/accused, who was arrested and remanded to judicial custody on 28.10.2015 for the alleged offences punishable under Sections 4 and 6 of Protection of Children from Sexual Offences Act, 2012 and also under Section 506(ii) of the Indian Penal Code in Crime No.18 of 2015 on the file of the respondent police and hence, seeks bail.

2. The case of the prosecution is that the petitioner, by giving false promise that he will marry the defacto complainant, had sexual relationship with her. According to the case of the prosecution, the defacto complainant is studying 12th Standard and on 28.10.2015, she had given a false complaint.

3. The case of the petitioner is that the petitioner and defacto complainant are in love with each other and the parents of the defacto complainant did not accept the same and subsequently, there is no relationship with the defacto complainant for the past one year and the petitioner is an innocent person and he is in custody for the past 27 days.

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4. The learned Government Advocate (Criminal Side) submitted that by giving false promise, the petitioner had sexual intercourse

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with the defacto complainant and she is a minor girl. He would further submit that if he is released on bail, he will tamper the witnesses.

5. Considering the gravity of the offence and also considering the fact that the defacto complainant is a minor girl, I am not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
23/11/2015

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Sub-Assistant Registrar

TO

1 THE OFFICER-IN-CHARGE,
DISTRICT PRISION, SRIVAIKUNDAM.

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

3 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, SRIVAIKUNTAM,
THOOTHUKUDI DISTRICT.

+1. CC to M/S S.M.MOHAN GANDHI Advocate SR.No.66825

akm/25.11.2015 /2p-5c/

ORDER
IN
CRL OP(MD) No.21715 of 2015
Date :23/11/2015

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