



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

Wednesday, the Sixteenth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.22292 of 2015

SIMBU @ MARUTHUPANDI

... PETITIONER/ ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAMADURAI,
SIVAGANGAI DISTRICT.
(CRIME NO. 37/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.M.SUBASH BABU Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 5(n) and 6 of Protection of Children from Sexual Offence Act, 2012 and 506(i) of IPC, in Crime No.37 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 10.09.2015 when the defacto complainant's daughter, who is a minor by name Pushpavana Eswari, aged 15 years was at home, the petitioner entered into the house and forcibly raped her daughter and subsequently, the father and mother of the petitioner threatened the defacto complainant with dire consequences and on her complaint, the case has been registered for the above said offences.

3.The case of the petitioner is that he is innocent person and he has not committed any offence as alleged by the prosecution. Both the petitioner and the daughter of the defacto complainant are lovers and when it came to the knowledge of the defacto complainant, she gave a false complaint against the petitioner. The other accused were granted anticipatory bail by the Sessions Judge, Fast Track Mahila Court, Sivagangai in Cr.M.P.No.689 of 2015, dated 30.09.2015.

4.The learned Government Advocate (Crl.side) filed counter affidavit and stating that the petitioner entered into the house of the defacto complainant and forcibly raped her daughter and also the father and mother of the petitioner threatened the defacto complainant with dire consequences. A2 and A3 were arrested and remanded before the learned



Judicial Magistrate, Manamadurai and subsequently, they were released on bail and this petitioner is absconded.

5. Considering the seriousness of the offence, I am not inclined to grant anticipatory bail to the petitioner. Hence, this petition is dismissed.

sd/-
16/12/2015

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/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MANAMADURAI, SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.22292 of 2015
Date :16/12/2015

am
NS/AAL-MPA/SAR II/22.12.2015 : 2P/3C