



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

Friday, the Fourth day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23009 of 2015

CHITHRAIKUMAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.
IN CRIME NO. 281 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.C.RATHINAVEL PANDIAN 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 was arrested and remanded to judicial custody on 25.10.2015 for the alleged offences punishable under Section 294(b), 506(ii) of IPC, Section 4 of Tamilnadu Prohibition of Women Harassment Act and Section 4 of Protection of Children from Sexual Offences Act, 2012 in Crime No.281 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner/accused used to perform pooja in the village temple and while so, the accused took the victim boy, who is aged about 12 years, behind the statue and he gave sexual torture to the victim boy by threatening him and due to the persistent behaviour of the petitioner, the victim boy was compulsorily involved in the sexual act.

3.The case of the petitioner is that the alleged incident took place two years back and the complaint has been given only in the year 2015 and the petitioner is taking part in social activities and he belongs to a political party and due to enmity, a false case has been foisted against the petitioner.

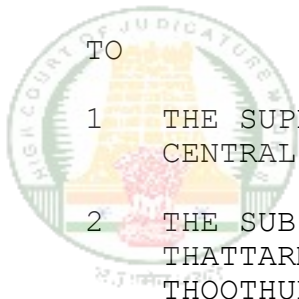
4. The learned Government Advocate(Crl.side) submitted that victim is a minor boy and he has been sexually abused by the petitioner and investigation is pending.

5. Taking into consideration of the fact that a minor boy was sexually assaulted by petitioner and the alleged act of the petitioner will make great harm to the future carrier of an innocent young boy, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-

04/12/2015

/ TRUE COPY /



TO

1 THE SUPERINTENDENT
CENTRAL PRISON, PALAYAMKOTTAI

2 THE SUB INSPECTOR OF POLICE
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1cc to M/s.J.C.Rathnavel Pandian, Advocate SR.NO.69792

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ORDER

IN

CRL OP(MD) No.23009 of 2015

Date :04/12/2015