



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

Friday, the Twenty Seventh day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.2681 of 2015

SURESH

... PETITIONER(S) / SOLE ACCUSED

Vs

THE STATE REP. BY THE SUB INSPECTOR OF POLICE
ALWARKURICHI POLICE STATION, ALWARKURICHI,
AMBASAMUDRAM (CR.NO.30 OF 2015) ... RESPONDENT/ COMPLAINANT

R.KANNAN

..INTERVENOR

For Petitioner : M/S. T. SELVAN Advocate

For Respondent : M/S.A.P.BALASUBRAMANI Government Advocate (Crl. Side)

FOR INTERVENOR : M/S.S.CHELLAPANDIAN Advocate

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341 and 506(i) IPC and Sections 11 and 12 of the Protection of Children from Sexual Offences Act, 2012 in Crime No.30 of 2015 on the file of the respondent police, seeks anticipatory bail.

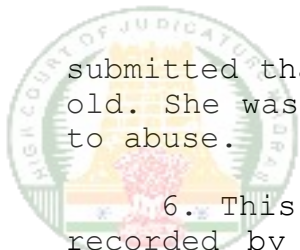
2. Heard the learned counsel for the petitioner, the learned counsel for the Intervenor and the learned Government Advocate (Crl.Side) appearing for the State.

3. The case of the prosecution is that this petitioner had taken the minor daughter of the defacto complainant on 23.01.2015 in his two wheeler in the morning and took her all round the town without dropping her in the school and thereafter dropped her in the school only at 4:30 in the evening.

4. Learned counsel for the petitioner submitted that this case has been foisted against this petitioner and further it is stated that this petitioner was in love with the defacto complainant's daughter, which has been suppressed and this case has been foisted.

<https://hcservices.ecourts.gov.in/hcservices/>

5. On the contrary, learned counsel for the defacto complainant very strongly objected to the grant of anticipatory bail to this petitioner and



submitted that the girl is studying in the 9th standard and she is 14 years old. She was taken by this petitioner in his two wheeler and was subjected to abuse.

6. This Court called for the 164 Cr.P.C. statement of the victim girl recorded by the learned Judicial Magistrate, Tenkasi on 13.02.2015. The said lady Magistrate, after following the procedures and formalities, has recorded the statement of the victim girl, wherein the victim girl has stated that when she was going to school, this petitioner came in his two wheeler and pulled her towards him and took her to Ravanasamudhram. There, arhe appears to have forced her to drink something, after which, she did not know what had happened and ultimately, in the evening she was dropped.

7. The girl is only 14 to 15 years old and is a 9th standard student. The statement of the victim girl has been recorded by a lady Magistrate and this Court has no reasons to disbelieve her version. Hence, custodial interrogation of this petitioner is necessary in this case.

8. Taking into consideration the serious nature of allegations against this petitioner, this Court is not inclined to grant anticipatory bail to him. Hence, the Criminal Original Petition is dismissed.

sd/-
27/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI
- 2 Do - Through THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI
- 3 THE JUDGE, MAHILA COURT TIRUNELVELI
- 4 THE SUB INSPECTOR OF POLICE
ALWARKURICHI POLICE STATION, ALWARKURICHI, AMBASAMUDRAM
- 5 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. S.CEHLAPANDIAN Advocate SR.No. 15220.

TS/31.03.2015/2P-7C

ORDER IN
CRL OP(MD) No.2681 of 2015
Date :27/03/2015