

Crl.O.P.No.12136 of 2016

S.VAIDYANATHAN, J.

The petitioner, who was arrested and remanded to judicial custody on 09.05.2016 for alleged offences punishable under Sections 341, 307, 379 IPC r/w. Section 4 of TNWH Act in Crime No.516 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have followed the daughter of the defacto complainant to their terrace and misbehaved with her. It is further alleged that when the victim started calling for help, the petitioner attacked her with the tester and caused grievous injuries to her over her shoulder and near her ears. Further, when the victim tried to take photo of the petitioner, he snatched the cell phone from her and escaped from the scene place.

3. The learned counsel for the petitioner submitted that the petitioner and the victim girl were having love affair and as the defacto complainant was against their love affair, has lodged a false complaint against the petitioner and he has not committed any such offence. He further submitted that the petitioner is in custody for more than 35 days and hence he may be enlarged on bail.

4. The learned Government Advocate (Crl. Side) vehemently opposed for grant of bail to the petitioner on the ground that the petitioner is having the habit of molesting girls and that the petitioner misbehaved with the victim girl and also caused grievous injuries on her and there were sutures in her body and that if the petitioner is released on bail, he will tamper the witnesses and also produced photograph showing the injuries sustained by the victim girl.

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5. A perusal of the statement of the victim girl, clearly reveals the brutal act of the petitioner. The contention of the petitioner that he is having love affair with the victim girl and as the defacto complainant is against their love has lodged a false complaint against the petitioner, cannot be accepted. As no one will cause such injuries on his lover. Apart from that, the petitioner has also given a confession statement and even in his confession statement, the petitioner has not disputed the injury caused by the petitioner on the victim girl. The photograph produced by the prosecution also reflects the injuries sustained by the victim girl. Taking note of all these facts and there are as serious allegations against the petitioner, this Court is not inclined to grant bail to the petitioner and the petition is dismissed.

13.06.2016

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