



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

Monday, the Fourth day of July Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.10918 of 2016

WEB COPY

RETHINAKUMAR

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT,
CR NO. 13 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.ABIYA Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as sole accused, who was arrested and remanded to judicial custody on 02.06.2016 for the alleged offences punishable under Section 8 of Protection of Child from Sexual Offences Act, 2012, in Crime No.13 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the petitioner, who is aged about 40 years, had sexually assaulted a minor boy aged 13 years. On complaint, case has been registered against the petitioner for the above said offence.

3.The case of the petitioner is that the petitioner is working as a Lecturer in a Private Collage. He has earned a good name from the public. He met with an accident and took treatment five months prior to the occurrence. He cannot claim the staircase without help of others. The petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Except the statement of the defacto complainant and the victim boy, no other persons were examined. The petitioner is in judicial custody from 02.06.2016.

4.The learned Government Advocate(Crl.side) submitted that the petitioner misbehaved with a minor boy. On complaint, case has been registered and investigation is pending. Earlier, the petitioner filed Crl.O.P.(MD)No.9589 of 2016 and this Court on 24.06.2016 dismissed the earlier petition filed by the petitioner. There is no change of circumstances and prayed for dismissal of the bail petition.

5.From the facts, it is seen that on 24.06.2016 as this Court was not inclined to grant bail to the petitioner, the learned counsel for the petitioner sought permission of this Court to withdraw the petition and he has also made an endorsement to that effect. On recording the



endorsement, this Court dismissed the Criminal Original Petition on 24.06.2016.

6. Considering the serious allegations made against the petitioner and now there is no change of circumstances, this Court is not inclined to grant bail to the petitioner. Hence, this petition is dismissed.

sd/-

04/07/2016

/ TRUE COPY /

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

TO

- 1 THE OFFICER INCHARGE,
DISTRICT PRISON, RAMANATHAPURAM.
- 2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S K.ABIYA Advocate SR.No.34808

ORDER
IN
CRL OP(MD) No.10918 of 2016
Date :04/07/2016

PA/NGM-MP/SAR II/06.07.2016/2P/5C