



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

Tuesday, the Twenty Sixth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice G.CHOCKALINGAM

CRL OP(MD) No.6552 of 2016

1 DINESH

2 MANOJ @ MANOJKUMAR

3 MADASAMY

..PETITIONERS/ACCUSED 1,2 & 3

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

UTHAMAPALAYAM POLICE STATION,

THENI DISTRICT.

CRIME NO. 172 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S J.SELVAM Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1, A2 and A3, apprehend arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 324 and Section 12 of Protection of Children from Sexual Act, 2012 in Crime No.172 of 2016 on the file of the respondent Police hence, seek anticipatory bail.

2.The case of the prosecution is that on 01.04.2016, when the de facto complainant's sister, viz., M.Abinaya, who is a minor, went to shop, the petitioners / accused misbehaved with her and when the same was questioned by the de facto complainant, they threatened with dire consequences and cut the de facto complainant with Aruval and thereby caused cut injury.

3.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and a false case has been foisted against them.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that earlier, the petitioners filed bail petition before the learned Principal District Judge, Theni and the same was dismissed and immediately, on the very next day i.e., on 13.04.2016 the petitioners have come before this Court with the petition. He further submitted that the statement of the victim was recorded and she reiterated the facts as stated in the complaint.

5.Considering the facts and circumstances of the case and also considering the fact that there is no change in circumstances and also taking note of the statement of the victim, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, this petition is dismissed.

sd/-

26/04/2016



TO

1 THE INSPECTOR OF POLICE, UTHAMAPALAYAM POLICE STATION,
THENI DISTRICT.

2 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

ORDER IN

CRL OP(MD) No.6552 of 2016

Date :26/04/2016

PBK/AAL-MPA/SAR-I 03/05/2016 ::2P-4C::