



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

Thursday, the Third day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.13814 of 2016

SURENDAR @ KANNAN

... PETITIONER/ SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
TENKASI POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 96 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P. MUTHUSAMY Advocate

For Respondent : MRS.S.PRABHA, Government Advocate (Crl. Side)

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 offence punishable under Section 366(A) of I.P.C and Section 4 of Protection of Children from Sexual Offence Act, 2012 in Crime No.96 of 2016 on the file of the respondent police, seeks anticipatory bail.

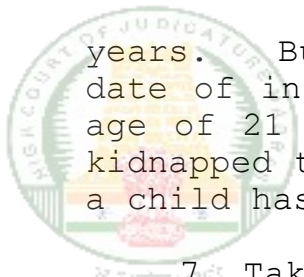
2.Heard the learned counsel on either side.

3.The case of the prosecution is that the petitioner kidnapped the relative of the defacto complainant, namely one Amuthavalli. Hence, the above said case has been registered.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

5.The learned Government Advocate(Crl. Side) submitted that the victim girl had already been secured.

6.It is seen that interim anticipatory bail was granted to the petitioner on 06.09.2016 and thereafter, the same was also extended on 20.09.2016. However, this Court is of the view that on the date of filing this petition, the petitioner is said to have completed 21



years. But, there is no proof to that effect. Admittedly, on the date of incident, the petitioner is said to have not completed the age of 21 years, the marriageable age and apart from that, he had kidnapped the victim girl and had physical relationship with her and a child has also been born to the victim girl.

7. Taking note of the fact that serious offence is said to have been committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, this Criminal Original Petition is dismissed.

sd/-
03/11/2016

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

PM
TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE, TENKASI POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/SS2/SAR-III-9.11.16-2P-5C

ORDER
IN
CRL OP (MD) No.13814 of 2016
Date : 03/11/2016