



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

Wednesday, the Sixth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16641 of 2017

N.BALU

... PETITIONER/ACCUSED NO.3

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VALLAM, THANJAVUR DISTRICT.
CRIME NO.4 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.SENTHIL KUMAR Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

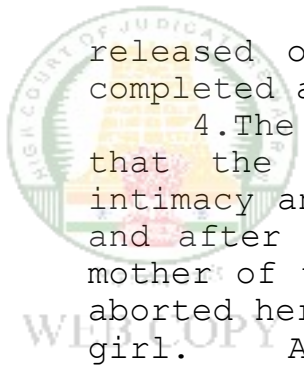
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/accused No.3, who was arrested and remanded to judicial custody on 18.09.2017 for the alleged offences punishable under Sections 4,6,7 of Protection of Children from Sexual Offences Act and Section 9 of the Child Marriage Restraint Act, 1929 and Sections 323 and 506(i) of IPC., in Crime No.4 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the victim girl's life was spoiled by her mother and her father-in-law/petitioner by illegally performing her marriage with the petitioner's son, who was already married to one woman and got two children. It is alleged that the mother of the victim girl had illegal intimacy with her father-in-law and the victim girl was forced and she was misused by other illegal persons, who were doing prostitution and the victim girl's life was fully spoiled by the petitioner and her own mother. After a long suffering, the victim girl/defacto complainant has lodged a complaint against the accused persons and others, who spoiled her life.

3.The learned counsel appearing for the petitioner submits that initially, the first bail petition filed by the petitioner was dismissed as withdrawn and the second bail petition filed by the petitioner was dismissed on merits. Again the petitioner has submitted this petition stating the change of circumstances to the effect that some of the co-accused were



released on bail by the Lower Court. Now the investigation is completed and the respondent police has filed the charge sheet.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and the victim girl's mother had illegal intimacy and the petitioner forced the victim girl to marry his son and after their marriage, the victim girl became pregnant and the mother of the victim girl forcibly admitted her in the hospital and aborted her child. Moreover, they are not taking care of the victim girl. Accordingly, the Government Advocate (Criminal side) vehemently opposed for the grant of bail.

5. Considering the facts and circumstances of the case and the submissions made by the learned Government Advocate (Criminal side), and the fact that the petitioner spoiled the victim girl's life and considering the gravity of the offence, I am not inclined to grant bail to the petitioner. Accordingly, this bail petition is dismissed.

sd/-
06/12/2017

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, VALLAM, THANJAVUR DISTRICT.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

TM
CSL/CM-VR/SAR-I/13.12.2017 :2P/4C

ORDER
IN
CRL OP(MD) No.16641 of 2017
Date :06/12/2017