



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

Wednesday, the Thirty First day of January Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1127 of 2018

JACOB MANOHAR

... PETITIONER/ACCUSED (SINGLE)

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
KULASEKARAPATTINAM POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO.22 OF 2018)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

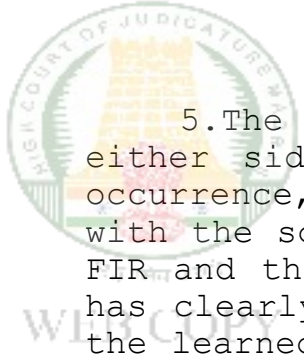
ORDER : The Court Made the following order :-

The petitioner / sole accused, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 11 (1) and 12 of the Protection of Children From Sexual Offences act, 2012, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the Head Master of a school namely, T.D.T.A. Higher Secondary School where the de facto complainant's son is studying 11th standard. As the petitioner herein has sexually tortured the de facto complainant's son, the present complaint has been registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is no way connected with the offences. He also submitted that the complaint was given by the de facto complainant only in order to create communal rivalry, since the petitioner herein belongs to the Christian community and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the investigation is still pending.



5.The submissions made by the learned counsel appearing on either side considered. It is alleged that during the time of occurrence, the petitioner herein committed the unnatural offence with the son of the de facto complainant. The averment made in the FIR and the affidavit of the de facto complainant dated 28.01.2018 has clearly proved the above aspects. In the above circumstances, the learned counsel appearing for the petitioner submitted that the complaint was given by the de facto complainant only in order to create communal rivalry, since the petitioner herein belongs to the Christian community. The submissions of the learned counsel appearing for the petitioner is not at all having any merits to consider the case in favour of the petitioner. As of now, investigation is pending. It is necessary for the Investigating Officer to examine the boy, who is the victim in this case.

6.Taking the above said aspects into consideration and having regard to the nature of offence committed by the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner at this stage. Accordingly, this Criminal Original Petition is dismissed.

sd/-
31/01/2018

/ TRUE COPY /

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

TO

- 1 THE INSPECTOR OF POLICE
KULASEKARAPATTINAM POLICE STATION,
THOOTHUKUDI DISTRICT
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.R.ANAND Advocate SR.No.1704

ORDER
IN
CRL OP(MD) No.1127 of 2018
Date :31/01/2018

SMA/PM-PN/SAR-2/02.02.2018:2P/4c