



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

Thursday, the Fifteenth day of February Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.2371 of 2018

S.THENNARASAN

... PETITIONER/ACCUSED
(RANK NOT KNOWN)

Vs

THE STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
SINGAMPUNARI POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.32 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.BALAJI, Advocate

For Respondent : M/S.A.ROBINSON, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 323 and 366(A) of IPC, in Crime No.32 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused kidnapped the victim girl and committed rape on her. Hence, the *defacto* complainant has lodged a complaint as against the petitioners.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the investigation is not yet completed.



5. The submissions made by the learned counsel appearing on either side are considered.

6. It is alleged, the petitioner and one Manikandan kidnapped the victim girl Nivetha. Further, during the time of investigation, the victim girl was secured and produced before the learned District-Munsif-Cum- Judicial Magistrate, Karaikudi. Before the learned District-Munsif-Cum- Judicial Magistrate, Karaikudi, the victim girl gave a statement to the effect that the petitioner and one Manikandan abducted her to some un-known place by using a car and confined her nearly 15 days. During the period of abduction, the friend of the petitioner herein viz., Manikandan committed the offence of rape after making threat. Thus, the offence committed by the petitioner is nothing but a heinous one. Hence, for completing the investigation, the extensive enquiry is necessary in the case on hand.

7. For the reasons stated above, this Court is not inclined to grant anticipatory bail to the petitioner. Hence, the Criminal Original Petition is dismissed.

sd/-

15/02/2018

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

TO

- 1 THE INSPECTOR OF POLICE,
SINGAMPUNARI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.2371 of 2018
Date :15/02/2018

PK/RR/SAR-2/26.02.2018 : 2P/3C