



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

Tuesday, the Twentieth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4378 of 2018

1 RAMASAMY
2 SANKARANARAYANAN
3 SUBBU
4 NATTAR
5 MUTHULINGAM

... PETITIONERS/ACCUSED Nos.2 to 6

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUCHENDUR,
TUTICORIN DISTRICT.
IN CR.NO.4/2018

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.N.SATHISH BABU Advocate

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

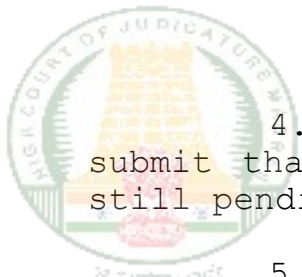
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused nos. 2 to 6, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 9 and 10 of Prohibition of Child Marriage Act, 2006 and Section 5(i) & 6 of POCSO Act, 2012 and Sections 147, 448, 294(b), 506(ii) IP and Section 4 of TNPHW Act, 2002, in Crime No.4 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that prosecution is that A1 on giving a false promise, had sexual relationship with the defacto complainant and subsequently, refused to marry her. Hence, on complaint, a case has been registered against the petitioner.

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) would submit that no one has sustained injury and the investigation is still pending.

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

6. It is alleged, during the year, 2015, when the victim girl was aged about 15 years, A1 secretly after tying Thali made sexual intercourse with her. Subsequently, the victim girl requested the A1 for marrying her and at that time, A1 and the relatives A1, who are the petitioners herein, threatened the defacto complainant with dire consequences. Thereafter, in the year 2018, the defacto complainant expressed her feelings through Zee Tamil TV, thereby, the petitioners and other accused in this case, unlawfully entered into the house of the defacto complainant and made life threat to her and family members by saying abusive words. Further, they threatened her to not press the complaint lodged before the police. So, the entire circumstances clearly shows that the petitioners herein are acted in a high handed manner and threatened her after committing the serious offence. Hence, if these type of the petitioners are granted with anticipatory bail, there may be a chance for tampering the witnesses and hampering the investigation.

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

sd/-
20/03/2018

/ 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, TIRUCHENDUR,
TUTICORIN DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.SATHISH BABU Advocate SR.No.56441

ORDER IN
CRL OP (MD) No.4378 of 2018
Date : 20/03/2018