



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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7625 of 2018

ANAND

... PETITIONER /SOLE ACCUSED

Vs

STATE REP.BY
THE INSEPCTOR OF POLICE
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 60 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.PAKALAVAN, Advocate
For Respondent : M/S.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

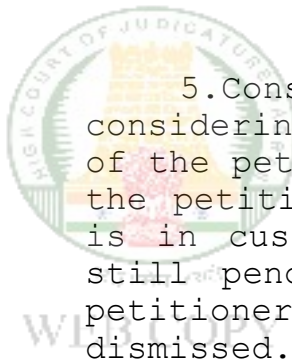
ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to Judicial custody on 07.04.2018 for the offences punishable under Sections 417, 366(A) of IPC @ 417, 366(A) of IPC and 5(n), 6 of POCSO Act , in Crime No.60 of 2018, on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner kidnapped the daughter of the defacto complainant and had forcibly sexual intercourse with her for fifteen days.

3. On the side of the petitioner, it is stated that the occurrence took place on 13.02.2018. First Information Report was lodged on 16.02.2018 and the petitioner was arrested on 07.04.2018 and he was in custody from 07.04.2018. It is further stated that there was a civil dispute between the parties and a false case has been foisted against him. He further stated that the petitioner is suffering from jaundice and hence, prayed that the petitioner to be released on bail.

4.On the side of the respondent, it is stated that the victim is 16 years and the accused is already married and having three children. It is further stated that the petitioner kidnapped the minor girl and had forcibly sexual intercourse with her for 15 days. Statement Under Section 164 Cr.P.C has been recorded from the victim hence, objected to release of the petitioner on bail.



5.Considering the facts and circumstances of the case and considering the age of the victim and considering the marital status of the petitioner and that no document has been filed to prove that the petitioner is suffering from jaundice and that the petitioner is in custody only from 07.04.2018 and that the investigation is still pending, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
09/05/2018

/ TRUE COPY /

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

TO

1. THE INSEPCTOR OF POLICE
VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.
2. THE SUPERINTENDENT,CENTRAL PRISON,
PALAYAMKOTTAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.S.PAKALAVAN Advocate SR.No.8308

ORDER
IN
CRL OP(MD) No.7625 of 2018
Date :09/05/2018

MS/PMI/GSR/11.05.2018/2P.5C