



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

Wednesday, the Tenth day of October Two Thousand and Eighteen

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18139 of 2018

MANIKANDAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PATTUKOTTAI,
THANJAVUR DISTRICT.
(CRIME NO.11 OF 2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.V.MURALIGANESH, Advocate.

For Respondent : Mr.V.NEELAKANDAN, Additional Public Prosecutor.

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 6, 5 (i) (iii) and 5 (i) of Protection of Child From Sexual Offences Act, 2012, seeks anticipatory bail.

2.The case of the prosecution is that the victim is aged about 17 years old. On false promise to marry her, the petitioner raped her, due to which the victim conceived and now eight months pregnant. When the defacto complainant questioned the same, a panchayat was held. In the panchayat, the petitioner and his family members agreed to marry the victim girl. Thereafter, they refused to marry the victim girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the entire allegations made in the complaint is false and there is no love affair between the petitioner and the victim girl. Further, the learned counsel for the petitioner would submit that the petitioner was arrested and remanded to the judicial custody from 26.08.2018. Therefore, he seeks bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that the victim girl is aged about 17 years and on a false promise to marry her, the petitioner had sexual intercourse with the victim girl. After the pregnancy of the victim girl, the petitioner refused to marry her and then held panchyat. In Panchayat, the petitioner agreed to marry her. But thereafter, did not turn down to marry her. Therefore, he committed very heinous crime.

5.It is seen from the statement recorded under Section 164 Cr.P.C., of the victim girl that she fell in love with the petitioner and thereafter, on false promise, the petitioner had sexual intercourse, due to which the victim girl is also eight months pregnant now. Thereafter, he refused to marry her and disputing the love affair itself.

6.Therefore, this Court is not inclined to grant bail to the petitioner and accordingly this criminal original petition is dismissed.

sd/-
10/10/2018

/ TRUE COPY /

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

TO

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

ORDER
IN
CRL OP(MD) No.18139 of 2018
Date :10/10/2018

RAM/JC/SAR 2/01.11.2018/2P/4C