



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

Wednesday, the Thirteenth day of February Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.1923 of 2019

RATHEESAN @ STALY

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KUZHITHURAI,
KANYAKUMARI DISTRICT.
(CRIME.NO.42/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K. RAJESHWARAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. Advocate
(Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 376 of IPC and Section 5(1) and 6 of Prevention of Child from Sexual Offences Act, 2012, in Cr.No.42 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 10.11.2018, when the defacto complainant went to her aunt's house the petitioner who is the resident of opposite side came to there and misbehaved with her and sexually abused her and forcibly had intercourse with her. Hence, the complaint.

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. The First information is a touted version.

4.The learned Government Advocate (Crl.Side) appearing for the State would submit that the victim is aged about 17 years and investigation is pending.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and since



the offence committed by the petitioner is a heinous offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original petition is dismissed.

sd/-
13/02/2019

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/ 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,
KUZHITHURAI,
KANYAKUMARI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.K. RAJESHWARAN Advocate SR.No.3092

PS/JC/SAR-3/20.02.2019/2P/4C

ORDER
IN
CRL OP(MD) No.1923 of 2019
Date :13/02/2019