



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 17/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8065 of 2019

Neetheskumar

... Petitioner/sole Accused

Vs

State rep.by,
The Inspector of Police,
Rajathani Police Station,
Cr.No.88/2019,
Theni District.

... Respondent/Complainant

For Petitioner : M/s.C.Susi Kumar,
Advocate.

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

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

PRAYER :-

For bail in Cr.No.88 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

This petition has been filed by sole accused seeking bail for the alleged offence punishable under Section 6 of Protection of Child from Sexual Offences Act, 2012, in Crime No.88 of 2000.

2. The case of the prosecution is that the defacto complainant is a minor girl aged about 15 years. The petitioner gave a false promise that he would marry the defacto complainant and had sexual intercourse with her for the past three months. Due to their sexual relationship, the minor girl is two months pregnant, which was confirmed by the Preliminary Health Centre. Hence, the present case was registered against the petitioner.



3. The learned counsel for the petitioner has submitted that the petitioner and the defacto complainant are lovers. The parents of the defacto complainant seriously searched bride for her. In order to stop the marriage, both have decided to have sexual relationship. He further submitted that the petitioner is always ready to marry the victim girl. The petitioner is in judicial custody for the past 21 days, and hence, he prayed bail to the petitioner.

4. The learned Additional Public Prosecutor has submitted that the petitioner had illegal relationship with the victim girl and criminally intimidated him. He is in prison for last 21 days. On earlier occasion he filed a bail application before the learned Fast Track Mahila Court, Theni, in Cr.M.P.No.390 of 2019 and the same was dismissed on 30.04.2019. He further submitted that the investigation is still pending. Hence, he opposed this petition.

5. Taking into consideration the fact that since the minor girl is two months pregnant and also the fact that if the petitioner is released on bail, he may tamper the witnesses, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Hence the bail petition is dismissed.

sd/-
17/06/2019

/ TRUE COPY /

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

TO

1. THE INSPECTOR OF POLICE
RAJATHANI POLICE STATION, THENI DISTRICT
 2. THE OFFICER INCHARGE,
DISTRICT PRISON, THENI
 3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.SUSI KUMAR Advocate SR.No.

ORDER
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