



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

Monday, the Eleventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.22889 of 2018

RAJAVEL SUBRAMANIAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
(CRIME NO. 19 OF 2018)

... RESPONDENT / COMPLAINANT

K.UMAYAVEL

... PETITIONER/DE-FACTO COMPLAINANT
IN CRL MP(MD) No. 265 of 2019
IN CRL OP(MD) No. 22889 of 2018

For Petitioner : MR.S.PALANI VELAYUTHAM Advocate

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

For Intervener : MR.A.K.MANICKAM, Advocate
IN CRL MP(MD) No. 265 of 2019
IN CRL OP(MD) No. 22889 of 2018

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Section 506(i) IPC and Sections 11(5) and 12 of Protection of Children from Sexual Offences Act, 2012, in Cr.No.19 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner is a paternal uncle of the victim girl. Taking advantage of relationship, the petitioner gifted mobile phone to the victim girl and thereafter, he sent obscene photos to the victim girl and also misbehaved with the her, for which the father of the victim girl gave a complaint before the respondent police.



3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent person and that in fact the petitioner married the sister of the victim girl's mother and they are close relatives and hence, he would pray anticipatory bail to the petitioner.

4.The learned counsel appearing for the intervenor vehemently opposed to grant anticipatory bail to the petitioner and would submit that the petitioner is a wealthy person and with an ill motive, he presented mobile phone to the victim girl and also misbehaved by taking obscene photographs and forwarded the same to the other family members.

5.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that investigation is pending.

6.Considering the facts and circumstances and also considering the allegations leveled as against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
11/02/2019

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

+1. CC to MR.S.PALANI VELAYUTHAM Advocate SR.No.2859
+1. CC to MR.A.K.MANICKAM Advocate SR.No.2859

ORDER
IN
CRL OP(MD) No.22889 of 2018
Date :11/02/2019