



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.A(MD).No.412 of 2019

A.Veluchamy : Appellant / Accused No.1

Vs.

1.The Assistant Commissioner of Police,
Anna Nagar (L&O),
Madurai City.

2.The Inspector of Police,
Anna Nagar Police Station (L&O),
Madurai City,
(Crime No.616 of 2019)

: Respondents 1 and 2 /
Complainant

3.Amutha @ Amuthavalli

: Respondent /
De-facto complainant

PRAYER : Criminal Appeal filed under Section 14 A (2) of SC/ST (POA) Act, 1989 as amended by Act 1 of 2016, to call for the records relating to the order dated 04.09.2019 passed in Crl.M.P.No.1861 of 2019, on the file of the learned District and Sessions Court, (Mahila) Madurai and set aside the same and consequently to enlarge the appellant on bail in connection with Crime No.616 of 2019.

For Appellant : Mr.J.Jeyakumar

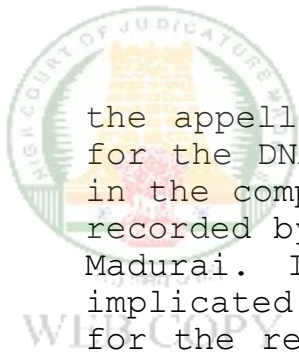
For R-1 and R-2 : Mr.A.Robinson,
Government Advocate (Crl.Side)

JUDGMENT

The appellant herein was arrested and remanded to custody on 11.07.2019. The appellant is said to have had physical intimacy with the defacto complainant/3rd respondent and as a result, the third respondent had given birth to a child.

2.The learned Government Advocate (Crl. Side) appearing for the respondents states that the samples of all the three persons have been taken and sent for DNA test. Since the allegation against

<https://hlservices.ebooks.gov.in/hlservices/>



the appellant is serious, this Court will have to necessarily wait for the DNA test result. The appellant has been specifically named in the complaint. A statement under Section 164 of Cr.P.C., was also recorded by the Additional Mahila Court (Judicial Magistrate Level), Madurai. In the statement also, the appellant has been clearly implicated. In any event, this Court will have to necessarily wait for the result of the DNA test. As on date, the appellant is not entitled to bail. Hence, this appeal has to be dismissed. Since the appellant is in custody and his case for bail is pending, the Assistant Director, Forensic Laboratory, Madurai, is directed to expedite the process and submit the DNA results to the Court concerned within in a period of two weeks.

3.With this direction, the Criminal Appeal is dismissed. It is open to the appellant herein to renew his bail petition, after the DNA results are made available. The Registry is directed to mark a copy of this order to the Assistant Director, Forensic Laboratory, Madurai.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

sji

To

- 1.The Additional Mahila Court
(Judicial Magistrate Level), Madurai.
- 2.The District and Sessions Court,
(Mahila) Madurai.
- 3.The Assistant Commissioner of Police,
Anna Nagar (L&O),
Madurai City.
- 4.The Inspector of Police,
Anna Nagar Police Station (L&O),
Madurai City,
- 5.The Record Keeper, (2 Copies)
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



Copy to:

The Assistant Director, Forensic Laboratory,
Madurai.

+1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-86166[F] dated
10/09/2019)

Crl.A(MD).No.412 of 2019
10.09.2019

JMN(27.09.2019) 3P : 9C