

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.06.2020

CORAM :

THE HON'BLE MR. JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.8834 of 2020

Karuppusamy

... Petitioner

Vs.

State Rep. By

... Respondent

TheInspector of Police,
All Women Police Station,
Gobichettipalayam.
Cr.No.2 of 2020.

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in Crime No.2 of 2020 on the file of the respondent police.

For Petitioner : Mr.A.V.Arun

For Respondent : Mr.C.Iyyappa Raj
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to the judicial custody on **16.04.2020** for the alleged offences punishable under **section 6 of Protection of Children from Sexual Offences Act, in Crime No.2 of 2020** on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner had sexually assaulted the defacto complainant's minor daughter who was aged about 16 years. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would also submit that the petitioner is the neighbour of the defacto complainant. He would submit that due to previous enmity between the two

families, a false and fabricated case has been foisted against the petitioner. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the victim girl is aged about 16 years. He would further submit that the statement under Section 164 of Cr.P.C of the victim is yet to be recorded and the investigation is still pending. He would also submit that the medical examination in respect of the petitioner and the victim girl was also not completed. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the allegations and also the fact that the case is in the initial stage of the investigation and that the custodial interrogation of the petitioner is essential, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
17/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE SESSIONS JUDGE,
MAHALIR NEETHI MANDRAM
(FAST TRACK MAHILA COURT), ERODE.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
GOBICHETTIPALAYAM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S.A.V.ARUN Advocate on payment of necessary charges

CRL OP.8834/2020

Date :17/06/2020

TA-10/11/2020