

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.14132 of 2020

Gopal

.. Petitioner

Vs.

The State rep.by
The Inspector of Police
Anaicut Police Station,
Kancheepuram District
Cr.No.587 of 2020.

.. Respondent

Prayer: Criminal Original Petition filed under Section 439 of Criminal Procedure Code, praying to enlarge the petitioner on bail pending investigation in Crime No.587 of 2020 on the file of the respondent police.

For Petitioners : Mr.G.Maheshkumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioner who are arrested and remanded to judicial custody on 23.07.2020 for the offence punishable under Sections 294(b), 376, 506 Part II IPC in Crime No.587 of 2020 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on 21.07.2020, the petitioner raped the victim girl aged 18 years forcibly. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that it is case of love affair and it has been projected as a case of rape on the instigation of the brother of the defacto complainant. He would submit that the petitioner has been suffering incarceration from 23.07.2020. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would vehemently oppose stating that the petitioner who is aged 45 years, is a married man, having two kids and committed forcible rape on the victim girl when she had gone to his house. He would further submit that the investigation is pending and the petitioner was arrested only on 23.07.2020.

5. Taking into consideration the nature of offence and the fact that the petitioner has been arrested only on 23.07.2020 and the investigation is still pending, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed for the present.

-sd/-
11/09/2020

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
KANCHEEPURAM DISTRICT.

CC to M/S.G.MAHESHKUMAR Advocate on payment of necessary charges

CRL OP.14132/2020

Date :11/09/2020

MK:23/09/2020