

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2020

CORAM :

THE HON'BLE Mr. JUSTICE V.SIVAGNANAM

CRL.O.P.No.19412 of 2020

Palanisamy

... Petitioner

Vs.

State of Tamil Nadu

... Respondent

The Inspector of Police,
All Women Police Station,
Tiruppur.
(Crime No.10 of 2020)

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail concerned in Crime No.10 of 2020 on the file of the respondent herein.

For Petitioner : Mr.R.Vinoth Kumar

For Respondent : Mr.K.Madhan
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 29.08.2020 for the offence punishable under Sections 376 (2) (m), 376(2) (I), 506(ii) of IPC, in Crime No.10 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim is slightly mentally challenged person and on 22.08.2020 at about 2 PM when the victim was alone in her house, the petitioner went there and having intercourse with her against her wish and also threatened the victim that if she revealed the matter to her parents, he would kill them. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the date of occurrence is only on 29.08.2020 for the offence allegedly committed on 22.08.2020, the complaint given by her mother. He would further submit that the petitioner was arrested on 29.08.2020.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the petitioner given a

false complaint. However, he opposed to grant bail to the petitioners.

5. Heard the learned Counsels and perused the F.I.R.

6. Considering the grave nature of the offence and the circumstances of the offence committed, I am declined to grant bail to the petitioner.

7. This Criminal Original Petition shall stand dismissed accordingly.

-sd/-

30/12/2020

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 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S.Y.PRAKASH Advocate on payment of necessary charges

WEB COPY

CRL OP.19412/2020

Date :30/12/2020

MN-07/01/2021