



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.9309 of 2020

S.Ranjith ... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Usilampatti Taluk,
Madurai District.
Crime No. 10 of 2020.

... Respondent/Complainant

For Petitioner : M/s.M.Elizabeth Geetha,
Advocate.

For Respondent : M/s.S.E.Veronica Vincent,
Government Advocate (Crl.Side)

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

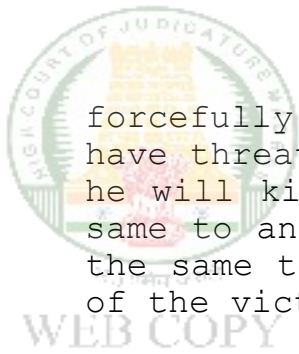
PRAYER :-

For Anticipatory Bail in Crime No.10 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused apprehending arrest at the hands of the respondent police for the offence punishable under Sections 5(m) r/w 6 & 11 r/W 12 of Protection of Child from Sexual Offences Act 2012 and 506(1) of IPC 1860, in Crime No.10 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the mother of the minor victim girl, The victim girl is aged about 17 years and she is studying 11th standard. The allegation is that on 05.08.2020 at about 10.30 p.m., when the minor girl went out of her house to answer natures call, the petitioner is said to have followed the victim girl and criminally intimidated her and



forcefully sexual intercourse with her. The petitioner also said to have threatened the victim girl that if she discloses this incident, he will kill her. Therefore, the victim girl did not disclose the same to anybody. However, after two days, the victim girl informed the same to her mother. Based on the complaint given by the mother of the victim girl, a case has been registered.

3.The learned counsel appearing for the petitioner vehemently contested that the petitioner is innocent and the de-facto complainant and her daughter with an intention to extort money from the petitioner, a false case has been foisted against the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the State would submit that the victim girl is aged about 17 years old and she went out of her house to answer nature's call, the petitioner criminally intimidated her and also sexually assaulted and also threatened the victim girl not to disclose the incident. Thereafter, the complaint has been given in her mother.

5.I carefully consider the rival submissions and also perused the materials placed on record.

6.On perusal of the records, it is seen that the victim is aged about 17 years, when she went out of her house in the night alone, the petitioner followed the victim girl and sexually assaulted her and also criminally intimidated her with dire consequences if she reveal the same to others. Therefore, the victim girl did not disclose the incident to anybody and after two days, the victim girl informed the same to her mother. Based on the complaint given by her mother, the petitioner was implicated as accused in this case.

7.Considering the facts and circumstances of the case and also considering the gravity of the offence that the petitioner has sexually assaulted the minor girl, I am not inclined to grant anticipatory bail to the petitioner.

8.Hence, this petition stands dismissed.

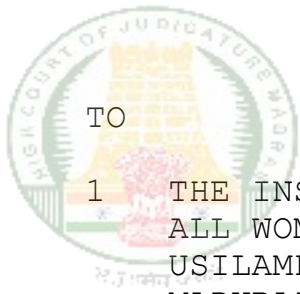
sd/-
03/09/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
USILAMPATTI TALUK,
MADURAI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.ELIZABETH GEETHA, Advocate (SR-6253[I] dated
04/09/2020)

ORDER

IN

CRL OP(MD) No.9309 of 2020

Date :03/09/2020

SJI

AE/VR/SAR-III (09.09.2020) 3P 4C