



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/09/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD). No.10606 of 2020

G.Singh

... Petitioner/ Accused

Vs

The State rep. by
The Inspector of Police,
All Women Police Station Marthandam,
Kanyakumari District.
(Crime No.34/2020).

... Respondent/Complainant

For Petitioner : Mr.K.Anbuselvan,
Advocate.

For Respondent : Mr.K. Suyambulinga Bharathi,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 34/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is the sole accused, apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 5(n), 5(1) and 6 of Protection of Child from Sexual offences Act, 2021, r/w Section 506(i) of IPC, in Crime No.34 of 2020, seeks anticipatory bail.

2. There are two victim girls, who are daughters of the petitioners, aged about 12 and 15 years respectively. The allegation against the petitioner is that the petitioner said to have sexually assaulted the victim girl for the past four years and also criminally intimidated them not to disclose it to anybody. Recently, the petitioner said to have approached one of the victim girl, which was seen by the mother of the victim girl. At that time, there was a wordy quarrel between them, in which, the petitioner said to have attacked the victim girls and mother and also criminally intimidated them. Hence, the present complaint.



3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case. He further submitted that due to matrimonial dispute, there was a wordy quarrel between the petitioner and the defacto complainant, for which, the petitioner has been falsely implicated in this case.

5. The learned Government Advocate (Criminal Side) appearing for the respondent Police submitted that this is the second application. He further submitted that the petitioner said to have sexually assaulted the victim girl for the past four years and also criminally intimidated them not to disclose the same to anybody.

6. On perusal of the records including the statement of the victim girls given under Section 164(5) Cr.P.C. to the learned Judicial Magistrate, reveals that, the petitioner, who is the father of the victim girls sexually assaulted them several times, and also criminally intimidated them not to disclose the same to anybody.

7. This is the second application. Considering the facts and circumstances of the case and also considering the fact that the petitioner being a father of the victims committed a heinous crime, and considering the gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, this Criminal original Petition is dismissed.

sd/-
30/09/2020

/ TRUE COPY /

/ /2020
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 concerned.



TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION MARTHANDAM,
KANYAKUMARI DISTRICT.

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

+1.CC to M/S.K.ANBUSELVAN, Advocate (SR.No.18860[F] dated 01/10/2020)

ORDER

IN

CRL OP(MD) No.10606 of 2020

Date :30/09/2020

VSG

SRS/ AKM/ SAR-II/ 05.10.2020/ 3P/4C