



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/12/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD). No.14305 of 2020

Manokannan

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
All Women Police Station,
Theni, Theni District.
in Crime No. 16 of 2020.

... Respondent/Complainant

For Petitioner : M/s.R.Shankar Ganesh,
Advocate.

For Respondent : Mr.R.Erottuchamy,
Government Advocate (Criminal Side)

PETITION FOR BAIL Under Section 439 of Cr.P.C.

PRAYER :-

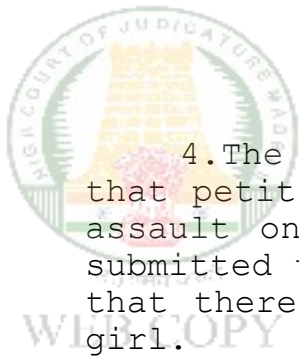
For Bail in Crime No.16 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 05.11.2020 for the offences punishable under Section 6 of POCSO Act on the file of the respondent police seeks bail.

2.The case of the prosecution is that the petitioner herein has committed aggravated penetrative sexual assault on the minor victim girl aged about 15 years. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and in order to protect he reputation of the family, the defacto complainant emotionally blackmailed the minor girl and lodged a false complaint. He would also submit that the petitioner is in jail for more than 30 days, hence he may be granted



4.The learned Government Advocate(Criminal Side) would submit that petitioner herein has committed aggravated penetrative sexual assault on the minor victim girl aged about 15 years. He further submitted that the on perusal of the 164 Cr.P.C statement it is seen that there is no love affair between the petitioner and the victim girl.

5.It is seen that the petitioner is a sole accused and the minor victim girl is aged about 15 years and on the pretext of false marriage had raped the minor victim girl aged about 15 years. It is also seen from the statement recorded under Section 164 of Cr.P.C that the victim girl never fell in love with the petitioner. Therefore the petitioner has committed a very serious and heinous offence against the minor victim, hence this Court is not inclined to grant bail to the petitioner.

6.In the result, the petition stands dismissed.

sd/-

08/12/2020

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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 concerned.

TO

1. THE OFFICER INCHARGE,
DISTRICT PRISON,
G.VILAKKU, THENI DISTRICT.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THENI, THENI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.14305 of 2020

Date :08/12/2020

AAV

<https://hcservices.ecourts.gov.in/hcservices/> 1.12.2020/2P/4C