



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23/12/2020

PRESENT

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

CRL OP(MD) . No.15694 of 2020

Aravindkumar @ Aravind

... Petitioner/Accused No.1

Vs

The State by,
The Inspector of Police,
All Women Police Station,
Sivagangai,
Sivagangai District.
In Crime No.17 of 2020.

... Respondent/Complainant

For Petitioner : Balamuruganantham.R,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathih,
Government Advocate (Crl.Side)

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

PRAYER :-

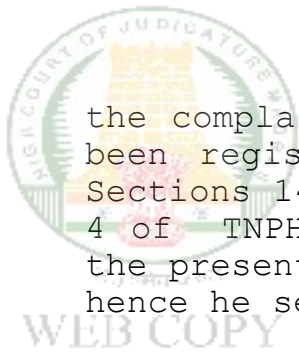
For Bail in Crime No.17 of 2020 on the file of the Respondent Police.

ORDER: The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 16.11.2020 for the offences punishable under Sections 448,506(i) of IPC and Section 7 r/w.8 of POCSO Act @ Sections 3 and 4 of POCSO Act on the file of the respondent police seeks bail.

2.The case of the prosecution is that on 14.11.2020 at about 4.00 pm., when the defacto complainant was at her home the petitioner had trespassed into her house and attempted to molest her. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is a sole accused and he being the neighbor of the defacto complainant family burst crackers in front of their house, due to which there was enmity between them. Infact the defacto complainant family damaged the car of belonging to the petitioner herein and when the same was questioned by him a false case has been foisted against him and no such occurrence had taken place. On



the complaint lodged by the petitioner First Information Report has been registered in Crime No. 622 of 2020 for the offences under Sections 147,148,448,294(b), 323,324,506(ii), 379 of IPC and Section 4 of TNPHW Act as against the victim and her relatives, therefore the present complaint is the counter blast to the earlier complaint, hence he seeks bail.

4. The learned Government Advocate(Crl.Side) would submit that the victim is aged about 15 years and the petitioner herein trespassed into house of the victim and sexually assaulted the victim girl. Hence he opposed to grant bail to the petitioner.

5. It is seen that the petitioner is a sole accused and he entered into the house of the defacto complainant and committed sexual assault on the minor victim girl who is aged about 15 years and when it was questioned by the mother of the victim she was also assaulted by the petitioner. No mother will lodge such type of complaint against any body using their daughter aged about 15 years, hence this Court is not inclined to grant bail to the petitioner.

6. Hence the petition stands dismissed.

sd/-
23/12/2020

/ 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 SUPERINTENDENT, CENTRAL PRISON, MADURAI
- 2.THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.15694 of 2020
Date :23/12/2020

AAV

PK/SMA/SAR-II/31.12.2020 : 2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>