

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2021

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.1194 of 2021

A.Kanniyappan

.. Petitioner

Vs.

The State by,
The Inspector of Police,
Indoor Police Station,
Dharmapuri District.
Crime No.1247 of 2020.

.. Respondent

Prayer: Criminal Original Petition filed under Section 439 of Criminal Procedure Code, praying to grant bail to the petitioner in Crime No.1247 of 2020 on the file of the respondent police.

For Petitioner : Mr.J.Bharathiraja-No appearance

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.12.2020 for the offences punishable under Section 366 of IPC and Section 5(i) and 6 of Protection of Children from Sexual Offences Act, 2012, r/w. Section 9 of Prohibition of Child Marriage Act 2006, in Crime No.1247 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner on the guise of marriage had sexual intercourse with the 15 years old victim girl and subsequently refused to marry her.

3. There is no representation for the learned counsel for the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner on the guise of marriage had sexual intercourse with the 15 years old minor girl. She would further submit that though the investigation is completed, awaiting for approval of filing charge sheet and there is specific over act against the petitioner. Hence, she vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration, the serious nature of the

offence alleged to have committed by the petitioner, and the fact that the charge sheet is yet to be filed, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
29/01/2021

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,
INDOOR POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE,
DISTRICT JAIL, DHARMAPURI.

CC to M/S.J.BHARATHIRAJA Advocate on payment of necessary charges

CRL OP.1194/2021

Date :29/01/2021

WEB COPY

MN-05/02/2021