

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of March Two Thousand Twenty One
PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN
CRIMINAL ORIGINAL PETITION No.5298 of 2021

P.MANIKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
CHIDAMBARAM,
CUDDALORE DISTRICT.
(CR.NO.1/2021)

For Petitioner : M/S.M.VENGATESAN Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner is the sole accused. Apprehending arrest at the hands of the respondent police in connection with a case registered in Crime No.1 of 2021 for the alleged offence under Sections 450, 417, 376(2)(k), 313 and 506(ii) of IPC, the petitioner seeks anticipatory bail.

2. The case of the prosecution is that the victim is a deaf, dumb, mentally and physically challenged lady. The petitioner is the friend of the defacto complainant. When no one was in the house, he allegedly raped the victim and impregnated her. Hence, based on the complainant given by the defacto complainant case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence. Due to previous enmity between the family members, the present complaint has been filed. Hence, he seeks anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor strongly opposed the granting of anticipatory bail to the petitioner. He submitted that the victim is a mentally and physically challenged woman. She is also deaf and dumb. Taking advantage of the same, the petitioner has committed rape. He further submitted that investigation is still pending.

5. Heard both sides.

6. Considering the facts and circumstance of the gravity of the offence and the fact that the petitioner has sexually assaulted a physically challenged woman, this Court is not inclined to grant anticipatory bail to the petitioner.

7. This Criminal Original Petition stands dismissed accordingly.

-sd/-
24/03/2021

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,
ALL WOMEN POLICE STATION,
CHIDAMBARAM,
CUDDALORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.VENGATESAN Advocate on payment of necessary charges
SR.No.3972

CRL OP.5298/2021

Date :24/03/2021

cs 01/04/2021