

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.05.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9615 of 2021

1. Chinnaraji, S/o.Sappani
2. Chinnaponnu, S/o.Chinnaraji
both residing at D.No.303, Ambedkar Nagar,
Pachai Village and Post, Chengam Taluk,
Tiruvannamali District. ... Petitioners

State Represented by
The Inspector of Police,
All Women Police Station,
Chengam,
Cr.No.01 of 2021. ... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their arrest in
Crime No.01 of 2021 on the file of the respondent police.

For Petitioners : Mr.B.Jawahar

For Respondent : Mr.A.Damodaran
Government Advocate
(Crl. side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 376 (2) (h), 506(i) IPC read with Section 5(1) and 6 of POCSO Act in Crime No.01 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the son of the petitioners loved each other and he had sexual affairs with the defacto complainant by assuring that he will marry her. Subsequently, he refused to marry the defacto complainant. But the petitioners have not taken any steps for the marriage. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and the defacto complainant has lodged a false complaint against them. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the defacto complainant and the son of the petitioners loved each other and he had sexual affairs with the defacto complainant by assuring that he will marry her. The petitioners opposed for the marriage of the defacto complainant with their son. Hence he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and the nature of allegations against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

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Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
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T.V.THAMILSELVI, J.

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To

1. The Special Court for Exclusive Trial
of cases under POCSO Act,
Thiruvannamalai.
2. The Inspector of Police,
All Women Police Station,
Chengam.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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