

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.9607 of 2021

Manikandan

... Petitioner

Vs.

State represented by
The Sub-Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
(Crime No.210 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail pending investigation in Crime No.210 of 2021 on the file of the respondent police.

For Petitioner : Mr.V.R.Appaswamee

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

ORDER

The petitioner who was arrested on 04.05.2021 and remanded to judicial custody for the offences under Sections 363, 366(A), 376 (2) (n) of IPC and Sections 4 & 6 of Protection of Child from Sexual Offences Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 in Cr.No.210 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl was found missing from 27.04.2021. Therefore, the defacto complainant who is the father of the victim girl lodged a complaint stating that the petitioner had kidnapped her daughter. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner has been in jail from 04.05.2021. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) vehemently opposed to grant bail on the ground that the statement of the victim girl has to be recorded by the learned Judicial Magistrate. He would further submit that the investigation is at preliminary stage.

5. Considering the stage of the investigation, this Court is of the view that it is not a fit case for grant of bail since it is too early for the petitioner to approach this Court for grant of bail. Therefore, this Criminal Original Petition is dismissed.

-sd/-

26/05/2021

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 SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
THIRUVANNAMALAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
CHEYYAR POLICE STATION,
THIRUVANNAMALAI DISTRICT.

CC to M/S.V.R.APPASWAMEE Advocate on payment of necessary charges

CRL OP.9607/2021

Date :26/05/2021

MK:31/05/2021