



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Seventh day of July Two Thousand Twenty One

PRESENT

The Hon'ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.11581 of 2021

SAKTHIVEL

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
W-4, KILPAUK ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI.
CR.NO.153 OF 2021.

For Petitioner : M/S.R.MUTHUKUMAR Advocate

For Respondent : MR. A. GOPINATH, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested on 30.04.2021 and remanded to judicial custody for the offence punishable under Sections 363, 365, 342, 376 and 506(i) of IPC in Crime No.153 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that the petitioner kidnapped her sister, who is a widow.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and prayed for grant of anticipatory bail.

4. The learned Government Advocate submitted that the petitioner and other accused persons, kidnapped the defacto complainant's sister and without her consent, tied thali and had sexual intercourse with her on compulsion. The victim woman, who is a widow, has produced before the learned Metropolitan Magistrate, Additional Mahila Court, Egmore and recorded 164(5) statement. In which, she stated that the petitioner along with other five accused persons kidnapped the victim woman and threatened her and without her consent tied thali and had sexual intercourse with her and threatened to kill her family members. Therefore, he opposed to grant anticipatory bail to the petitioner.



5. Taking into consideration the allegations and also the fact that the case is in the initial stage of the investigation and that the custodial interrogation of the petitioner is essential and considering the gravity of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner,

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
07/07/2021

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,
W-4, KILPAUK ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.11581/2021

Date :07/07/2021

INBA 22/07/2021