



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirtieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17505 of 2021

1 P.VIJAYA [PETITIONERS / ACCUSED]
2 K.KAVITHA
3 V.GEETHA
4 R.KUMAR @ SELVAKUMAR
5 M.MARIYAPPAN

Vs

THE STATE REP.BY [RESPONDENT]
SUB-INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
AMMAPET, SALEM.
IN CR.NO.39 OF 2021.

For Petitioner : M/S.S.PARTHASARATHI Advocate

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 5(1), 5(j)(ii), and 6 of POSCO Act read with Sections 294(b), 506(1) of IPC in Crime No.39 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that accused/A-1 is the husband of the victim girl, aged about 16. Thereby, accused/A-1 threatened and induced the victim girl to have sexual relationship and had physical contact with her. After knowing that the victim girl was pregnant, the petitioners, who are the family members and relatives of the accused/A-1 threatened the victim girl to abort her pregnancy. Thereafter, the victim girl informed her parents and when the same was questioned by them, the petitioners threatened and used filthy language and assaulted the victim and her parents with wooden log and stones. Thereby, the law enforcing agency registered a case against the petitioners.



3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. However, on instructions, he further submits that the petitioners, without prejudice to their rights, are ready to abide any condition imposed by this Honourable court. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submitted that A-1 induced the victim girl to have sexual relationship due to which the victim girl became pregnant and delivered a baby. The statement of the victim girl has also been recorded under Section 164 Cr.P.C. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. This Court perused the 164 Statement, in which the victim girl has revealed that accused/A-1 forced the victim girl to have sexual relationship and allegation are also leveled against the petitioners that they threatened the victim girl to abort her pregnancy.

6. In view of the above facts and the gravity of offence committed by the petitioners and also the pointed allegations against the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

30/09/2021

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 SUB-INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
AMMAPET, SALEM.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.17505/2021

Date :30/09/2021

APN 07/10/2021