



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

Tuesday, the Second day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20675 of 2021

T.GOPINATH

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION- POONAMALLEE,
POONAMALLEE,
TIRUVALLUR DISTRICT.
CRIME.NO.159/2021

[RESPONDENT]

For Petitioner : M/S.S.MICHAEL Advocate

For Respondent : MR. 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 petitioner, who apprehends arrest for the alleged offence under Section 366(A) of IPC & 5(g)(1) r/w 6 of the Protection of Children from Sexual Offences Act, 2012 in Crime No.159 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to some family dispute, the victim girl left the parental house and went along with the petitioner. The petitioner along with other accused persons threatened the victim girl and had sexual intercourse with her. Hence, the law enforcing agency registered against the petitioner and other accused person based on the complaint lodged by the de-facto complainant.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that based on the false confession of the other accused person, he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate submitted that the petitioner and other accused persons threatened and raped the victim girl who is a minor. He further submitted that the statement of the victim girl



has been recorded under Section 164 Cr.P.C. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.A perusal of the statement of the victim under Section 164 Cr.P.C reveals that the petitioner and other accused persons threatened the victim girl and forced her and had sexual intercourse with her. He further submitted that there are serious allegations made against the petitioner. In such circumstances this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original petition stands dismissed.

-sd/-
02/11/2021

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- POONAMALLEE,
POONAMALLEE,
TIRUVALLUR DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.S.MICHAEL Advocate on payment of necessary charges
SR.NO.12391

CRL OP.20675/2021

Date :02/11/2021

INBA-17/11/2021