



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

Thursday, the Twenty Third day of December Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.24790 of 2021

SAMUVEL

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMILNADU REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUPPUR SOUTH,
TIRUPPUR DISTRICT.
CR. NO.16/2021

[RESPONDENT]

For Petitioner : M/S.P.KALIMUTHU Advocate

For Respondent : MR.A.GOKULAKRISHNAN Additional Public Prosecutor

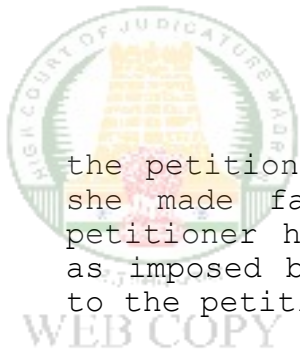
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Section 9(1) r/w Section 10 of Protection of Child from Sexual Offences Act, 2012 in Cr.No.16 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.This is the second anticipatory bail application was filed before this Court. The case of the prosecution is that the petitioner is serving as a paster in Bethel church, Tiruppur and he belongs to oppressed community. Since, the daughter of the defacto complainant developed love affair with a boy, the defacto complainant approached the petitioner and sought his help to reform her daughter and the petitioner is alleged to have sexually abused the victim girl. Hence, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the defacto complainant made a complaint about frequent usage of mobile phone by her daughter and asked the petitioner to check up her daughter's mobile phone and as a paster,



the petitioner advised her daughter to concentrate in her studies but she made false allegation as if she was sexually abused by the petitioner however, the petitioner is willing to abide any condition as imposed by this Court. Hence prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that earlier application was dismissed by this Court in Crl.O.P.No.17731 of 2021 dated 08.11.2021 and there is no change of circumstances. He further submits that the investigation is not yet completed. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the allegation levelled against the petitioner and that the investigation is not yet completed, there is no change of circumstances, this court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
23/12/2021

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,
TIRUPPUR SOUTH,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

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

CRL OP.24790/2021

Date :23/12/2021

INBA-04/01/2022