



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 23/04/2021

PRESENT

**The Hon`ble Mr.Justice G.CHANDRASEKHARAN**

CRL OP(MD). No.4862 of 2021

1. Satheesh Kumar  
2. Poonkani  
3. Manikandan

... Petitioners/Accused No.1 to 3

Vs

State Rep.by  
The Inspector of Police,  
All Women Police Station,  
Coalachel,  
Kanyakumari District.  
(Crime No.11/2021)

... Respondent/Complainant

Selvakani

... Petitioner/ Defacto Complainant  
IN CRL MP(MD)No.3220 of 2021  
IN CRL OP(MD)No.4862 of 2021

For Petitioners: Mr.S.J.Chakkaravarthy,  
Advocate.

For Respondent : Mrs.M.Anantha Devi,  
Government Advocate (Crl.Side)

For Intervenor : Mr.Pon Karthikeyan, Advocate

PRAYER :- For Anticipatory Bail in Crime No.11 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 506(ii) of IPC r/w 7, 8, 11(5) of POCSO Act, 2012, in Crime No.11 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is studying 12<sup>th</sup> standard in St.Francis Xavier Higher Secondary School, Manguli. She was born on 20.03.2004. She is aged 16 years. On 08.03.2021 at about 06.00 a.m, the victim and her father taking bath near the valli river and at that time, the petitioner/A1, namely, Satheeshkumar, took the photograph of her taking bath and thereafter, he sent the photo through the Face book and threatened her to upload the photograph in the website. On 14.03.2021 at about



05.30 a.m., she was taking water from the water pipe, A-1 was illegally touched the brest of the de-facto complainant, when she raised noise, he left the place and threatened the de-facto complainant that if she inform the same to anybody, he kill her. Thereafter, the de-facto complainant informed the same to the parents of A-1, A-1's parents scolded the defacto complainant and her family members and they threatened to pour petrol on the de-facto complainant and burn her to death. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioners are innocent and they have been falsely implicated in this case.

4.The learned Government Advocate (Criminal side) for the respondent police strongly opposed this petition on the ground that A-1 deleted the de-facto complainant's photograph uploaded in the website and they are taking steps to trace the related content through proper technical assistance and the investigation is pending.

5.The learned counsel for the intervenor strongly opposed this petition on the ground that there are several materials to show and prove the allegations made against the accused. Even after the registration of the case, the petitioners have been threatening the de-facto complainant and her family members. In this regard, a complaint has also been given and CSR receipt has also been issued.

6.Taking note of the materials placed before this Court and the allegations against the petitioners are very serious in nature and the investigation is pending and also the fact that the petitioners said to have threatened the de-facto complainant and her family members, this Court is not inclined to grant anticipatory bail to the petitioners.

7.In the result, this petition is dismissed.

sd/-

23/04/2021

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1 THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
COALACHEL,  
KANYAKUMARI DISTRICT.

2 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER

IN

CRL OP(MD) No.4862 of 2021

Date :23/04/2021

SJI

MS/PN/SAR-2/13.05.2021/3P.3C