



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

Thursday, the Twenty Second day of April Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.5004 of 2021

Ramesh

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Rajapalayam,
Virudhunagar District.
Crime No.4 of 2021.

... Respondent/Complainant

For Petitioner : Mr.S.MUNIYANDI,
Advocate.

For Respondent : Mrs.M.ANANTHA DEVI,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

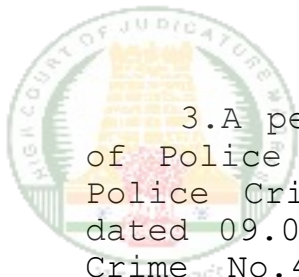
PRAYER :-

For Bail in Crime No.4 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

On 01.04.2021, this Court granted bail to the petitioner with a direction to the Superintendent of Police to file a status report before this Court and posted 'for reporting compliance' on 19.04.2021. The reason is that when the victim had given a complaint to the respondent police earlier also, no action has been taken and thereafter, the complaint was lodged to the Deputy Superintendent of Police and no action was taken. Only after the intervention of the child help line, the respondent police had registered the case. In this background, this Court directed the Superintendent of Police to file a status report.

2.Today when the matter came up for hearing, the learned Government Advocate (Criminal side) filed a status report of the Superintendent of Police before this Court .



3.A perusal of the status report shows that the Superintendent of Police issued a direction to the Additional Superintendent of Police Crime against Women and Children in C.No.C5/10121-1/2021, dated 09.04.2021 to conduct further investigation of this case in Crime No.4 of 2021. As per his direction, on 12.04.2021, the Additional Superintendent of Police took up the investigation in this case. On perusal of 164 of Cr.P.C., statement of the victim girl, the Additional Superintendent of Police, Virudhunagar sent a report in ந.க.எண்.30/க.கா.க/பெ.ம.கு.எ.கு.பி/விருதுமா/2021, dated 15.04.2021 to the Superintendent of Police and he took action against, the Inspector of Police, South Police Station, Rajapalayam, namely, Shankar Kannan and previous Inspector of Police, AWPS, namely, Devamatha and Deputy Superintendent of Police, Rajapalayam. Further, the Additional Superintendent of Police recommended to take departmental action against Vanitha, Sub-Inspector of Police. It is also seen that on 13.04.2021, the Additional Superintendent of Police enquired three witnesses, including the victim girl, Murugeshwari and her mother Pechiyammal and brother Kadalkani and recorded 161(3) of Cr.P.C., statement of witnesses. Now, the investigation is pending before the Additional Superintendent of Police Crime against Women and Children and the Superintendent of Police is also monitoring the case by the way of day today reports. The report of the Superintendent of Police is also recorded and further, the Superintendent of Police is directed to monitor the further investigation in this case till the filing of final report before the concerned Court and also monitor the trial by prompt production of witnesses and ensuring their protection and safety.

sd/-
22/04/2021

/ 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 SPECIAL COURT FOR POCSO ACT CASES,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



3.THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

COPY TO:

1.THE SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR DISTRICT.

2.THE ADGP,
SPECIAL WING FOR CRIME AGAINST WOMEN AND CHILDREN,
CHENNAI.

ORDER
IN
CRL OP(MD) No.5004 of 2021
Date :22/04/2021

sjj
JM/SKN/SAR IV/05.05.2021/3P/7C