



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/04/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD) . No.6156 of 2021

Ganesan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station,
Tenkasi.
Cr.No. 3 of 2021.

... Respondent/Complainant

For Petitioner : Mr.M.Sankar,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No.3 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested on 20.02.2021 for the offence punishable under Sections 450, 376 of IPC and Sections 6 and 5 (1) of the Protection of Child from Secual Offences Act, 2012, in Crime No.3 of 2021 on the file of the respondent police, seeks bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent police.

3.It is seen from the submissions made that the petitioner, on the promise of marriage, had sexual intercourse with the defacto complainant on 01.01.2021. Subsequently, the petitioner refused to marry her. Therefore, the defacto complainant consumed poison on 12.02.2021. Hence, the complaint.

4.The learned counsel for the petitioner submitted that petitioner is an innocent person and he has not committed any



offence as alleged by the prosecution and the petitioner has been falsely implicated in the present case. He further submitted that the petitioner has been in judicial custody for more than 68 days. Therefore, he seeks bail.

5.The learned Government Advocate (criminal side), on instructions, submitted that the investigation in this case is pending. Therefore, he strongly opposes this petition.

6.Considering the facts and circumstances of the case, the serious allegation made against the petitioner that he had sexual intercourse with the defacto complainant on the false promise of marrying her and the investigation in this case is pending, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

sd/-
29/04/2021

/ 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 SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI.
- 2.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, TENKASI.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.6156 of 2021
Date :29/04/2021

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PK/JC/SAR-III/21.05.2021 : 2P/4C