



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/06/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL OP(MD)No.7175 of 2021

Ramesh ... Petitioner/Sole Accused

Vs

State through
The Inspector of Police,
S.S.Kottai Police Station,
Sivagangai District.
Crime No.5/2021.

... Respondent/Complainant

For Petitioner : Mr.R.Aravind Raj.,
Advocate.

For Respondent : Mr.M.Muthu Manickam.,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime no. 5 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 354, 323 of IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.5 of 2021, seeks anticipatory bail.

2. It is seen from the submissions that on 16.01.2021, when the defacto complainant was returning home, the petitioner said to have committed sexual offence (rape). When the petitioner attempted to rape her, she bit his fingers, as a result, she escaped from him and she informed the same to the husband of her elder sister and then, the complaint came to be registered.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Hence, he seeks anticipatory bail to the petitioner.



4.The learned Government Advocate(Crl.side) submitted that the accused was absconding and therefore, investigation is pending. Hence, he raised objections for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl.side) appearing for the respondent.

6. It is seen from the facts alleged in the F.I.R and submissions made that the petitioner said to have attempted to rape the defacto complainant. This is the very serious offence and the accused was absconding and therefore, the investigation is pending. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

sd/-
09/06/2021

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/ /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,
S.S.KOTTAI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7175 of 2021
Date :09/06/2021

kmm
JM/VR/SAR IV/14.06.2021/2P/3C