



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

Date : 04/06/2021

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.7228 of 2021

Vishnu ... Petitioner/Accused(Single)

Vs

State Rep.by
The Inspector of Police,
Samayanallur Police Station
Madurai City.
Crime No.162 of 2021

... Respondent/Complainant

For Petitioner : Mr.M.Pitchai Muthu,
Advocate.

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

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

PRAYER :- For Bail in Crime No.162/2021 on the file of the
respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who was arrested and remanded to
judicial custody on 04.05.2021 for the offences punishable under
Sections Girl Missing @ Section 366 of IPC and Sections 5(1), 6
r/w.8 of POCSO Act in Crime No.162 of 2021 on the file of the
respondent police, seeks bail.

2.The case of the prosecution is that the petitioner herein
kidnapped the minor victim girl and on false promise of marrying her
had sexual intercourse with her several times and thereafter refused
to marry her. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in this
case. He would further submit that the petitioner and the victim
are close relatives and now the victim also attained majority on
08.05.2021. He would also submit that now both the families are
trying to settle the dispute and ready to perform marriage of the
petitioner with the victim. He would further submit that 164 Cr.P.C
statement of the victim is also recorded. He would also submit that



the petitioner is in judicial custody from 04.05.2021, hence he may be granted bail.

4. The learned Government Advocate (Crl.Side) would submit that victim is aged about 17 years and the petitioner is aged about 19 years. He would also submit that the investigation is still pending, 164 Cr.P.C statement and medical examination report not yet received, hence he opposed to grant bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the investigation is still pending and also the fact that the 164 Cr.P.C statement and medical examination report not yet received, this Court is not inclined to grant bail to the petitioner at this stage.

6. Hence the petition stands dismissed.

sd/-
04/06/2021

/ 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,
SAMAYANALLUR POLICE STATION
MADURAI CITY.
- 2 THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.7228 of 2021
Date : 04/06/2021

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<https://hdcvceservices.gov.in/hdcvceservices/MS/EN/GRAP-1/69966.2021/2P.4C>