



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

Date : 07/06/2021

PRESENT

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

CRL OP(MD). No.7304 of 2021

Rishikesavan

... Petitioner/Single Accused

Vs

State rep. by
The Inspector of Police,
Uthamapalayam All Women Police Station,
Theni District.
(Crime No.5/2021)

... Respondent/Complainant

For Petitioner : Mr.G.Asokan,
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.5 of 2021 on the file of the
respondent Police.

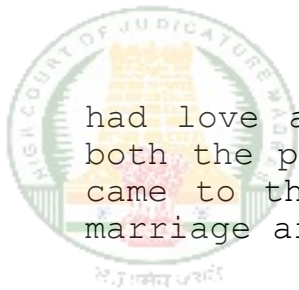
ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 15.05.2021 for the offence punishable under Section 366 of I.P.C and Section 6 of Protection of Children from Sexual Offences Act, 2021, in Crime No.5 of 2021 on the file of the respondent police, seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

3.It is seen from the submission that the victim and the petitioner loved with each other. On 13.05.2021, when the complainant's family members came to know the love affairs, they contemned and harassed them, therefore, both of them eloped to the house of the petitioner's grandmother. Hence, the complaint.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner and the victim



had love affairs and they planned to marry with the blessings of both the parents. On the date of occurrence, the victim voluntarily came to the house of the petitioner and requested him to stop her marriage arrangements.

5.The learned Government Advocate (Crl.Side),on instructions, submitted that the victim is aged about 17 years and the accused is aged about 19 years. He further submitted that 164 Cr.P.C. statement is not recorded and the investigation is in preliminary stage. Therefore, he strongly opposed to grant bail to the petitioner.

6.Considering the facts and circumstances of the case and considering the age of the victim and also the fact that the investigation is in preliminary stage, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

07/06/2021

/ 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,
UTHAMAPALAYAM ALL WOMEN POLICE STATION,
THENI DISTRICT.
2. THE OFFICER INCHARGE,
DISTRICT PRISON, THENI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.7304 of 2021

Date :07/06/2021

CP

MS/PN/SAR-1/10.06.2021/2P.4C