



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

Date : 10/06/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN
CRL OP(MD)No.7557 of 2021

WEB COPY

Mr.T.Siva

... Petitioner/Accused No.1

Vs

State rep by its
The Inspector of Police,
All Women Police Station,
Tenkasi.

Crime No.6/2021.

... Respondent/Complainant

For Petitioner : Mr.K.Rajendra Prasad.,
Advocate.

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

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

PRAYER :-

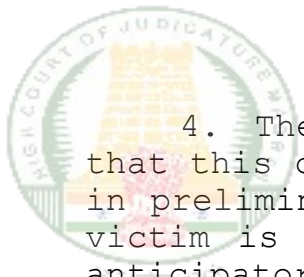
For Anticipatory Bail in Crime No. 6 of 2021 on the file of the
respondent Police.

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
294(b), 376 and 506(i) IPC r/w under Sections 10, 11(5), 12, 5(1),
6 and 9(i) POCSO Act in Crime No.6 of 2021, seeks anticipatory bail.

2. It is seen from the submissions that the petitioner and the
defacto complainant are relatives. Subsequently, the petitioner
loved the defacto complainant and planned to marry her and had
sexual relationship with her on 15.10.2020. Even thereafter, he
continued to have sexual relationship with her. When she requested
him to marry her, the petitioner said to have refused to marry her.
Therefore, the defacto complainant, on 17.05.2021, consumed the
washing thinner. Thereafter, the case came to be registered on
27.05.2021.

3. The learned counsel for the petitioner would submit that
the petitioner is an innocent person and he did not commit any
offence as alleged by the prosecution. He would further submit that
he is compelled to marry the defacto complainant and he had no such
sexual relationship with the defacto complainant and therefore, he
refused to marry her. Further, the case has been falsely filed
against the petitioner.



4. The learned Government Advocate (Crl. Side) would submit that this case was registered on 27.05.2021 and the Investigation is in preliminary stage. The medical examination of the petitioner and victim is not completed. 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. Taking note of the facts and circumstances of the case, where it is alleged that the petitioner said to have sexual intercourse with the minor girl on the promise to marry her, the fact that case was registered only on 27.05.2021 and the medical examination of petitioner and the victim girl is not over, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
10/06/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

kmm

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,
ALL WOMEN POLICE STATION,
TENKASI.
2. THE OFFICER INCHARGE,
SUB JAIL, SANKARANKOVIL.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.7557 of 2021
Date : 10/06/2021