



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

Date : 05.07.2021

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.CHANDRASEKHARAN

CRL OP (MD) No.8784 of 2021

R.Ramki

... Petitioner/Accused

Vs

The State Represented by,
The Inspector of Police,
All Women Police Station,
Musiri, Trichy District.
Crime No.12 of 2021

... Respondent/Complainant

For Petitioner : Mr.A.Joel Paul Antony

For Respondent : Mr.M.Muthumanikkam,

Government Advocate (Criminal Side)

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

PRAYER :- For Anticipatory Bail in Crime No.12 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), 323, 366, 506(i) of IPC r/w 5(L), 5(i) and 6(1) of Protection of Children from Sexual Offences Act, 2012 in Crime No.12 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a minor girl, studying 12th standard. She used to go along with her sister to their garden for taking bath and washing clothes. On 15.06.2021, at about 04.00 pm, she had gone to garden. While going to garden, she had to cross the house of Raja. At that time, one Ramki was standing near the bath room of Raja's house and asked her to come. When she asked why he was asking her to come, he forcibly took her into the bath room of Raja's house by holding her hair. When the defacto complainant raised voice, the accused scolded her in filthy language and threatened to kill her, if she makes noise. He also banged her head. Then, he removed her undergarment and indulged in penetrative sexual assault on her. Then, he escaped from there. The victim girl returned home and informed her father and aunt about the incident. Since her uncle Tamilselvan's marriage was scheduled on 16.06.2021, complainant could not be given



immediately and complainant was given on 17.06.2021. Therefore, this case came to be registered.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is falsely implicated in this case. Therefore, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) opposed this petition on the ground that this is a case of rape and penetrative sexual assault. He submitted that investigation is not completed and custodial interrogation of the petitioner is necessary for conducting medical test and eliciting other information of the offence. Therefore, he prays for dismissal of the petition.

5. The facts of the case as revealed from the First Information Report shows that the petitioner indulged in penetrative sexual assault against the minor victim girl. The incident had happened only 15.06.2021 and the First Information Report was registered on 17.06.2021. The investigation is in preliminary stage and hence, the custodial interrogation of the petitioner is necessary for conducting medical test. In such facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-

05/07/2021

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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,
ALL WOMEN POLICE STATION,
MUSIRI, TRICHY DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN

CRL OP(MD) No.8784 of 2021

Date : 05/07/2021

MBI

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TE/SKN/SAR-111 : 09/07/2021 : 2P/3C