



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 30/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN
CRL OP(MD) . No.10182 of 2021

WEB COPY

Manikandan

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
All Women Police Station, Jeeyapuram,
Trichy District.
(Crime No.13 of 2021)

... Respondent/Complainant

For Petitioner : M/s.Lenin Kumar T,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.13 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 22.06.2021 for the offences punishable under Sections 5(1) and 6 of POCSO Act in Crime No.13 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim was studying XII standard in Ayyamapalayam Higher Secondary School in the academic year 2020-2021. She has no father and her mother was taking care of her. Her Date of Birth is 09.06.2004 The accused Manikandan is running briyani stall and he used to give briyani to the defacto complainant. Two years before the incident he took the defacto complainant to the land of Renganathan and had sexual relation with her inspite of her resistance. He had sexual relationship with her on several occasions. On 15.03.2021 at about 06.00 hrs also he had sexual relationship with her. There were frequent fight between them. The defacto complainant informed their relationship to her mother . Therefore she was sent to her aunt's house at Rasampalayam. On 21.06.2021 she came back to her house. On the same day the accused had come to her house and picked up quarrel with them, therefore the case came to be registered.

3. The learned counsel for the petitioner would submit that this is the second bail petition and the earlier petition was



dismissed by this Court on 16.07.2021. He would further submit that the medical examination of the victim is over and 164 Cr.P.C statement is also recorded, hence he seeks bail to the petitioner.

4. The learned Additional Public Prosecutor opposed the petition on the ground that the petitioner is a married man and has a child. He has ravished minor victim girl aged about 17 ½ years. He would also submit that the investigation is not yet completed.

5. The earlier petition was dismissed after considering the nature of offence and the fact that the petitioner is aged about 26 years and ravished the 17 ½ years old minor girl. 164 Cr.P.C statement of the victim girl confirms that the petitioner had penetrative sexual assault on the minor victim girl against her wish. Investigation is not yet completed.

6. Taking into consideration all these factors, this Court is not inclined to grant bail to the petitioner.

7. Hence the petition stands dismissed.

sd/-

30/07/2021

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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 SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, JEEYAPURAM,
TRICHY DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.10182 of 2021

Date : 30/07/2021

AAV

RT/JM/SAR-III/04.08.2021/2P/4C

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