



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/10/2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD). No.15945 of 2021

Baskaran, ... Petitioner/Sole Accused

Vs

State Rep by
The Inspector of Police,
All Women Police Station,
Virudhunagar,
Virudhunagar District.
(Cr.No. 10 of 2021). ... Respondent/Complainant

For Petitioner : Mr.G.Mariappan
Advocate.

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

PRAYER :-

For Bail in Crime No.10 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 14.08.2021, for the offences punishable under Sections 376(2)(1), 376(2)(n) and 506 (i) I.P.C., in Crime No.10 of 2021 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that the petitioner had sexual intercourse with the defacto complainant, who is a physically challenged woman, on compulsion and without her consent repeatedly. Hence, the defacto complainant has become pregnant and the petitioner threatened to kill her, if she tells to anybody about it.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he has not committed any offence as



alleged by the prosecution. The petitioner is in judicial custody from 14.08.2021 and hence, he seeks for grant of bail.

4.The learned Additional Public Prosecutor would submit that the petitioner, who is the sole accused, is aged about 56 years and he is already married and deserted his first wife and living with second wife. The defacto complainant, who is a physically challenged woman, is the third person and she is also pregnant.

5.Considering the gravity of the offence and also considering 164 Cr.P.C., statement of the victim, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
12/10/2021

/ TRUE COPY /

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

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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,
Virudhunagar, Virudhunagar District.
- 2.The Officer Incharge, District Jail, Theni.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) No.15945 of 2021
Date : 12/10/2021

TR/SKN/SAR-I (20.10.2021) 2P 4C