



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

Date : 18/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD) . No.17164 of 2021

WEB COPY

Rajeshkannan, : Petitioner / Sole Accused

Vs

State Rep. By
The Inspector of Police,
All Women Police Station, Lalgudi,
Trichy District.
(Cr.No. 29/2021).

: Respondent/Complainant

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

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Cr.No.29/2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 7 r/w 8 of Protection of Children from Sexual Offences Act, 2012, in Crime No.29 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 06.08.2021, one Mahalakshmi, wife of the petitioner lodged a complaint before the respondent police stating that her husband is a cooli worker and she is working as a scavenger in Trichy G.H. She has two daughters, namely, sneha and Malini and a son namely Viswanath. Further, the defacto complainant regularly used to leave her house by 06.00 am and return back by 06.00 pm. At this juncture, on 27.07.2021, when the defacto complainant was in her duty, her younger daughter Malini informed her over phone that when she was watching TV in her house, her father came to the house in drunken mode and asked the victim girl to serve food. In order to take food when she entered into the kitchen, her father sexually assaulted her. When she tried to prevent him, her father expressed his sexual intentions vulgarly by <https://hcservices.mca.gov.in/hcservices/>. Then the victim girl ran out of the house and got phone from the neighbour and then informed the same to the defacto complainant.



3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the complainant with an intention to live with her paramour, lodged the present complaint.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is in drunken mode sexually assaulted his daughter. He would further submit that the statement under Section 164 Cr.P.C was also recorded and he opposed to grant anticipatory bail to the petitioner.

5.Considering the seriousness and gravity of the alleged offence and also the fact that the investigation is pending as stated by the learned Government Advocate (Criminal Side), this Court is not inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

sd/-
18/11/2021

/ TRUE COPY /

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

DAS

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, LALGUDI,
TRICHY DISTRICT.
- 2.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17164 of 2021
Date :18/11/2021