



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Twenty First day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION Nos.905 & 909 of 2022

1 R.KUMAR @ SELVAKUMAR [PETITIONERS/ACCUSED IN CRL.OP.NO.905/2022]
2 MARIAPPAN

1 V.VIJAYA [PETITIONERS/ACCUSED IN CRL.OP.NO.909/2022]
2 S.KAVITHA
3 V.GEETHA

Vs

THE INSPECTOR OF POLICE [RESPONDENT IN BOTH THE PETITIONS]
ALL WOMEN POLICE STATION,
AMMAPET, SALEM,
CR NO.39/2021

For Petitioner : M/S.M.MANO HAR Advocate (IN CRL.OP.NOS.905/2022)

M/S.R.DILLIKUMAR Advocate (IN CRL.OP.NOS.909/2022)

For Respondent : MR. V.MEGANATHAN Govt. Advocate (Crl. Side)
(IN BOTH THE PETITIONS)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 5(i)(j)(ii) & 6 of POCSO Act read with Section 294(b) and 506(i) of IPC in Crime No.39 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 is the husband of the victim girl, aged about 16 years. Thereby, A1 threatened and induced the victim girl to have sexual relationship and had physical relationship with her. After knowing that the victim girl was



pregnant, the petitioners who are the family members and relatives of A1 threatened the victim girl to abort her pregnancy. Thereafter, the victim girl informed her parents. When the defacto complainants parents questioned the same, the petitioners along with A1 threatened and used filthy language and assaulted the victim and her parents with wooden log and stones. Based on the complaint, the law enforcing agency registered a case against the petitioners and other accused person.

3. The learned counsel appearing for the petitioners submitted that the petitioners have no way connected with the offence alleged by the prosecution. A1 has been arrested and enlarged on bail by the trial Court and the petitioners have been falsely implicated in this case and prayed for grant of anticipatory bail.

4. The learned Government Advocate submitted that this is the 4th anticipatory bail petition of the petitioners. This Court, on an earlier occasion, directed to verify as to whether A1 has got married with some other girl. On complying with the same, the respondent police verified that A1 has got married with one Lavanya. Therefore, the learned counsel vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the allegations and also of the fact that the petitioners are the family members of A1 and that investigation is preliminary stage and there is no change of circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.

6. Accordingly, both the Criminal Original Petitions are dismissed.

-sd/-

21/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
AMMAPET, SALEM.



2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.MANO HAR Advocate on payment of necessary charges
Sr.1185

CC to M/S.R.DILLIKUMAR Advocate on payment of necessary charges
Sr.1184

CRL OP.Nos.905 & 909 of 2022

Date :21/01/2022

RVR 02/02/2022