



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighteenth day of February Two Thousand Twenty Two

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.2905 of 2022

MOIDEEN KUTTY

[PETITIONER/ACCUSED]

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THUDIYALUR,
COIMBATORE DISTRICT.
CRIME NO.13 OF 2021

[RESPONDENT]

For Petitioner : M/S.R.SASIKUMAR, Advocate

For Respondent : M/S.L.BASKARAN, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 376(D) and 506(i) of IPC, in Crime No.13 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant has lodged a complaint before the respondent police stating that the defacto complainant belongs to Trichy District and when the husband of the defacto complainant was looking for a job, they saw one advertisement and made a call to phone number which was mentioned in the advertisement. One Nagendran attended the call and asked the victim along with her husband to come to Annur stating that a job is available for him in the petitioner's bakery. On 05.06.2021 the defacto complainant's husband went to his job and when victim was alone in her house, the petitioner committed sexual intercourse with the defacto complainant. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. Hence, he would pray for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would raise strong objection stating that the gang of persons were involved, if he released on bail he is absconding.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering the gravity of offence committed by the petitioner and there is no change of circumstances, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

18/02/2022

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 SUB INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THUDIYALUR,
COIMBATORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.2905/2022

Date :18/02/2022

RW 24/02/2022