



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12285 of 2022

SPECIAL C.C.NO.27/2022

(ON THE FILE OF SESSIONS JUDGE, MAHILA COURT (FAC), TIRUPPUR)

R.HARIKARAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
PERUMANALLUR POLICE STATION,
TIRUPPUR DISTRICT.
CR.NO.54/2022.

[RESPONDENT]

For Petitioner : M/S.K.MYILSAMY Advocate

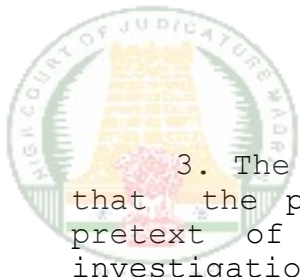
For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 04.02.2022 at the hands of the respondent police. Initially, the First Information Report was registered as "Girl Missing" and later it was altered for the offences punishable under Sections 366, 506(2) of IPC and Sections 5(I) and 6 of Protection of Children from Sexual Offence Act, 2012, in Crime No.54 of 2022, seeks bail.

2. The case of the prosecution is that the victim girl is aged about 16 years. The petitioner under the guise of marriage, compelled the victim girl to have sexual intercourse with him. Hence the complaint.



3. The learned counsel appearing for the petitioner would submit that the petitioner had love affair with the victim girl. On the pretext of marriage, they had physical relationship. Now, the investigation has been completed and also filed a final report. The same has been taken cognizance in S.C.C.No.27 of 2022 on the file of the learned Sessions Judge, Mahila Court (FAC), Tiruppur. The petitioner was arrested and remanded to judicial custody on 04.02.2022. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner, on the pretext of marriage, had committed rape on the victim girl who is aged about 16 years. He had also produced the statement recorded under Section 164 Cr.P.C. A perusal of the statement revealed that they initially fell in love with each other and eloped to some other place. Thereafter, the petitioner dragged her to private lodge and compelled her to have physical relationship. Thereafter, he had also threatened her with dire consequences and had penetrative sexual assault on the minor victim girl. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration of the above facts and circumstances of the case, since the petitioner has committed very serious and heinous offence as against the victim girl, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
06/06/2022

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 SESSIONS JUDGE,
MAHILA COURT (FAC) TIRUPPUR.

2 THE INSPECTOR OF POLICE,
PERUMANALLUR POLICE STATION,
TIRUPPUR DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S.K.MYILSAMY Advocate on payment of necessary charges

CRL OP.12285/2022

Date :06/06/2022

TA-09/06/2022