



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

Tuesday, the Twenty First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.14228 of 2022

GANESAN

[PETITIONER / ACCUSED]

Vs

SUB INSPECTOR OF POLICE
THANIPADI POLICE STATION,
THIRUVANNAMALAI DISTRICT.
CRIME NO.109/2022.

[RESPONDENT]

For Petitioner : M/S R.BALAKRISHNAN 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 22.03.2022 at the hands of the respondent police for the offences punishable under Section Girl Missing @ Sections 5(1) and 6 of Protection of Children from Sexual Offence Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 in Crime No.109 of 2022, seeks bail.

2. The case of the prosecution is that on the pretext of marriage, the petitioner kidnapped the victim girl and had aggravated penetrative sexual assault on the victim girl. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a married person and on the pretext of marriage, he had physical relationship with the minor girl. In fact, even now, the petitioner is willing to take care of the victim minor girl. The petitioner was arrested and remanded to judicial custody on 22.03.2022. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that on the pretext of marriage, the petitioner who is already a married person had sexual intercourse with the victim girl who is aged about 15 years. He had also produced the statement recorded under Section 164 Cr.P.C.



5. A perusal of the statement revealed that the victim girl and the petitioner had a love affair and they had eloped somewhere and had sexual intercourse. In fact, he is already a married person and assured that he will have the victim girl as a keep.

6. On considering the above facts and circumstances of the case, the petitioner has committed very serious and heinous offence as against the victim girl. Further, the earlier bail petition filed by the petitioner was dismissed by this Court on 06.06.2022 in CrI.OP.No.12601 of 2022 and this is the second bail petition. Even now, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

21/06/2022

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 SUPERINTENDENT,
CENTRAL PRISON, VELLORE

2 SUB INSPECTOR OF POLICE
THANIPADI POLICE STATION,
THIRUVANNAMALAI DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.14228/2022

Date :21/06/2022

RVR 27/06/2022