



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

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

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14811 of 2022

RAJENDIRAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
MAHENDRAMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.
(CRIME NO.64/2022)

[RESPONDENT]

For Petitioner : M/S.A.ILAYAPERUMAL 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 04.06.2022 for the offences punishable under Section of Girl Missing altered into Sections 363, 366 of IPC, Sections 5(1), 6 (1) of Protection of Children from Sexual Offence Act, 2012 in crime No.64 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim is aged about 16 years and she is studying 10th standard in Madhageri Government High School and the petitioner is working as driver under one, Manikandan, who is cousin brother of the victim girl. On 30.05.2022, when the victim girl has gone to write 10th standard public exam, the petitioner has kidnapped the victim girl in a two wheeler to Krishnagiri and subsequently, went from there to Bangalore and stayed in a house of his relative and there, the petitioner had sexual intercourse forcibly with the victim girl. Initially, the victim's father had lodged a girl missing complaint and the same was registered by the respondent police in crime No.64 of 2022 and subsequently altered. Hence, the case.



3. The learned counsel for the petitioner would submit that the petitioner and the victim girl were in love. Her parents forced her to marry some third person. Therefore, the victim girl planned to elope with the petitioner. He would further submit that the petitioner, only with the concurrence of her, had taken her to avoid the marriage arranged by her parents. Hence, he prays for grant of bail to the petitioner.

4. The Additional Public Prosecutor appearing for the respondent police would submit that the petitioner kidnapped the victim girl aged about 16 years and had penetrative sexual assault on her. Hence, he vehemently opposed to grant bail to the petitioner.

5. It is seen that the petitioner had penetrative sexual assault on the minor victim girl aged about 16 years. On perusal of the statement recorded under Section 164 of Cr.P.C., revealed that the victim girl was kidnapped by the petitioner and he had penetrative sexual assault on her. Therefore, the petitioner has committed very serious and heinous offence as against the minor victim girl. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

-sd/-
28/06/2022

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 INSPECTOR OF POLICE,
MAHENDRAMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.

2 THE OFFICER INCHARGE,
SUB JAIL, DHARMAPURI.



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.A.ILAYAPERUMAL
charges SR.No.10214

Advocate on payment of necessary

CRL OP.14811/2022

Date :28/06/2022

CSK 04/07/2022