



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15446 of 2022

R.RAJAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALLADAM, TIRUPPUR DISTRICT.
(CRIME NO.09 OF 2022)

[RESPONDENT]

For Petitioner : M/S. S.VINOTH KUMAR 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 05.04.2022 for the offences punishable under Sections 376, 506(i) of IPC in crime No.9 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 04.04.2022 at around 12 p.m., the victim girl alone was in the home. At that time, the petitioner entered into the house and forcefully had sexual intercourse with her and caused life threat to her not to disclose the fact to anyone. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the victim girl's father obtained five sovereign gold from the petitioner's wife and thereafter refused to return the same. Further, there is also a partition dispute between them and hence, due to personal enmity, false complaint has been given against the petitioner who is aged about 60 years and absolutely no chance for the petitioner to rape the victim girl. Hence, he seeks for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that on the occurrene day, when the victim girl was alone in the home, the petitioner entered into the house and forcefully had sexual intercourse with her and thereafter, he also made life threat to her not to disclose the fact to anyone. He also produced the statement recorded under Section 164 Cr.P.C. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of the statement recorded under Section 164 of Cr.P.C. revealed that the petitioner has committed rape on the victim and also threatened her with dire consequences if she discloses to anybody. Therefore, the petitioner committed very serious and heinous offence on the victim girl. Further, the earlier bail petition filed by the petitioner in Crl.OP.No.11067 of 2022 was dismissed by this Court on 07.06.2022 and this is the second bail petition. Even then, there is no change of circumstances in this case. As such, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this criminal original petition is dismissed.

-sd/-
05/07/2022

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,
PALLADAM, TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE
SUB JAIL, PALLADAM.

CC to M/S. S.VINOTH KUMAR Advocate on payment of necessary charges

CRL OP.15446/2022

Date :05/07/2022

TA-08/07/2022