



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/02/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.3491 of 2022

Ananth

... Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
All Women Police Station,
Palayamkottai,
Tirunelveli District
(Crime No.16 of 2021).

... Respondent/Complainant

For Petitioner : M/s.Krishnasamy.P., Advocate.

For Respondent : M/s.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.16 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 17.12.2021 for the offences punishable under Sections 294 (b), 366(A) and 506(ii) of IPC, Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012, Section 9 of the Child Marriage Act and Section 4 of TNPWH Act, in Crime No.16 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 01.03.2021, the petitioner took the victim girl in his two wheeler to his sister's house, where, he tied Thali and had sexual intercourse with her. When the victim prevented the petitioner, he threatened her that if



she disclosed the same to anyone, he will upload the photograph in the social media. When the same was questioned by the victim's parents, the petitioner and other accused threatened them with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 17.12.2021.

4. The learned Additional Public Prosecutor would submit that the victim girl is aged about 15 years, that petitioner is aged about 20 years and that the statement of the victim girl was recorded under Section 164 Cr.P.C. He would further submit that the investigation is yet to be completed.

5. Considering the seriousness and gravity of the offence alleged and also the facts that the petitioner is in judicial custody from 17.12.2021 and that the investigation is yet to be completed as stated by the learned Additional Public Prosecutor, this Court is not inclined to grant bail to the petitioner at that point of time.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
18/02/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.



2. THE SUPERINTENDENT,
CENTRAL PRISON,
PALAYAMKOTTAI.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.3491 of 2022
Date :18/02/2022

SP/JM/SAR II/25/02/2022/3P/4C