



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 11.03.2022  
PRESENT

WEB COPY

**The Hon`ble Mr.Justice K.MURALI SHANKAR**  
**CRL OP(MD) . No.4736 of 2022**

Eswaran

... Petitioner/Sole Accused

vs.

The State represented by  
The Inspector of Police,  
All Women Police Station,  
Pudukkottai.  
(Crime No.32 of 2021)

... Respondent/Complainant

For Petitioner : Mr.E.Balasubramanian,  
Advocate.

For Respondent : Mr.M.Sakthi Kumar,  
Government Advocate (Crl. Side).

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

PRAYER :-

For Bail in Crime No.32 of 2021 on the file of the respondent police.

**ORDER :** The Court made the following order :-

The petitioner/accused, who was arrested and remanded to judicial custody on 24.12.2021 for the offences punishable under Sections 5(1) r/w 6 and 11(5) r/w 12 of Protection of Child from Sexual Offences Act, 2012, in Crime No.32 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner and the defacto complainant were in love, that both of them went to Chithanna Vasal and at that time, the petitioner had given cool drinks to the defacto complainant and after drinking the same, the defacto complainant felt dizzy and at that time, the petitioner had sexual intercourse with the defacto complainant without her consent and knowledge and also recorded the same and that thereafter, the petitioner threatened the defacto complainant continuously by using the video and photos. 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.



4.The learned Government Advocate (Criminal Side) has produced the copy of the 164 Cr.P.C., statement recorded from the victim girl wherein she has specifically implicated the petitioner and also stated about the alleged threatening made by him.

5.Considering the seriousness and gravity of the offence alleged against the petitioner and also the fact that investigation is not completed, this Court is not inclined to grant bail to the petitioner.

6.In the result, this Criminal Original Petition is dismissed.

sd/-

11/03/2022

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/ /2022

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

CSM

**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, PUDUKKOTTAI.
- 2 THE OFFICER INCHARGE,  
SUB JAIL, ARANTHANGI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.4736 of 2022

Date :11/03/2022

SS/PN/SAR:I/16.03.2022 : 2P/4C