



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD) . No.12757 of 2022

Kaliraj

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Kadayanallur Police Station,
Tenkasi District.
(Crime No.144/2022).

... Respondent/Complainant

For Petitioner : Mr.Selvakumar.S, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor(Crl.side)

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

PRAYER :-

For Bail in Crime No.144/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 366, 376 and 506(i) IPC and Section 5(1), 5(n) and 6 of Protection of Children from Sexual Offences Act, 2012 in Crime No.144 of 2022 on the file of the respondent police.

2.The case of the prosecution is that the defacto complainant lodged a complaint stating that the victim girl, who is aged about 16 years, was undergoing 11th std., The victim fell in love with the accused person and that was scolded by the defacto complainant. On 27.04.2022 at about 09.30 am., the defacto complainant went for a festival and on 29.04.2022 she returned back at about 04.30 pm., and at that time, the victim was found missing. On the false promise of marriage, the victim girl was taken by the accused person to Tenkasi. From there, they went to Nagercoil, where they stayed in a lodge and at that time, they had sexual intercourse. Later, she was dropped in Tenkasi Bus-stand. Later, she returned to the home.



3. On the basis of the aforesaid complaint, the case has been registered and during the course of investigation, the statement of the victim girl was recorded. The petitioner was arrested on 12.05.2022 and ever since he is in judicial custody.

4. Perusal of CD file shows that the petitioner is already married man and is having a minor girl, who is aged about 16 at the time of occurrence. Even though final report is ready, after completing the formalities of investigation, if the petitioner is released on bail, there is every likelihood of tampering the evidence and thereby hampering the trial process. This is not a fit case to enlarge the petitioner on bail.

5. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
21/07/2022

/ TRUE COPY /

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

MM

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,
KADAYANALLUR POLICE STATION,
TENKASI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12757 of 2022
Date :21/07/2022

SP/SVR/SAR III/02/08/2022/2P/4C