



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/09/2022

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.16933 of 2022

Saravanan @ Saravanakumar

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
All Women Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No. 209 of 2022)

... Respondent/Complainant

For Petitioner : M/s.Sankara Pandian.J, Advocate.
For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-

For Bail in Crime No. 209 of 2022 on the file of the respondent police.

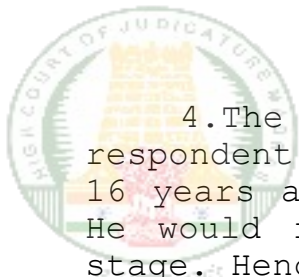
ORDER : The Court made the following order :-

The petitioner/ Accused No.1, who was arrested and remanded to judicial custody on 28.08.2022 for the offences punishable under Sections 109 and 366(A) of IPC and Section 5(1) r/w 6 of Protection of Children from Sexual Offences Act, 2012, in Crime No.209 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 11.03.2022, the petitioner is alleged to have abducted the victim girl and committed penetrative sexual assault on the victim girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner and the victim girl were loved each other and he is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in judicial custody from 28.08.2022 and the petitioner shall abide any condition imposed by this Court.

<https://www.mhctn.gov.in/judis>



4. The learned Government Advocate (crl.side) appearing for the respondent police would submit that the victim girl is aged about 16 years and 164 Cr.P.C statement of the victim girl was recorded. He would further submit that the investigation is in preliminary stage. Hence, he strongly opposed for grant of anticipatory bail.

5. Considering the seriousness and gravity of the offence committed by the petitioner and on considering the age of the victim and also the fact that the investigation is not yet completed, this Court is not inclined to grant bail to the petitioner at this point of time.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

21/09/2022

/ TRUE COPY /

/09/2022

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

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, THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 2 THE OFFICER INCHARGE, DISTRICT JAIL, PERURANI, THOOTHUKUDI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.16933 of 2022

Date :21/09/2022

CP

RS/VR/SAR.1(29.09.2022) 2P-4C