



WEB COPY

CRL OP(MD). N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/10/2022
PRESENT

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

CRL OP(MD). No.18603 of 2022

P.Anburaj

... Petitioner/Sole Accused

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Kulithalai,
Karur District.
(In Crime No.28 of 2022)

... Respondent/Complainant

For Petitioner : M/s.Sivabalan K, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Government Advocate (Crl.Side)

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

PRAYER :- For Bail in Crime No.28/2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 02.10.2022 for the offences punishable under Sections 448, 376(c) r/w 511 and 341, 506(i) of IPC, in Crime No.28 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 29.09.2022, when the defacto complainant was sleeping in her house, the petitioner trespassed into the defacto complainant's house illegally and attempted to embrace the defacto complainant. Upon hearing the noise of the defacto complainant, the neighbours came to the spot and censured the petitioner and immediately, he left the spot. On the next day, when the defacto complainant was going for shopping, the petitioner way laid her and also threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. He would further submit that the



father and mother-in-law of the petitioner are cancer patients and the petitioner used to take his father twice a week for treatment to Coimbatore and the petitioner is in judicial custody from 02.10.2022. Hence, he may be granted bail.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that in the statement recorded by the police, the victim girl has implicated the petitioner and made specific allegation against him. He would further submit that the investigation in this case is at the initial stage. Hence, he opposed for grant of bail to the petitioner.

5. Considering the seriousness and gravity of the offence, the overt act against the petitioner and the fact that the investigation is at the initial stage and taking note of the statement given by the victim girl implicating the petitioner in this case, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-

28/10/2022

/ TRUE COPY /

/11/2022

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

TO

- 1 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KULITHALAI, KARUR DISTRICT.
- 2 THE OFFICER INCHARGE,
SUB JAIL, KULITHALAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

**ORDER
IN**

CRL OP(MD) No.18603 of 2022
Date : 28/10/2022

CP

SA/VR/SAR.1/08.11.2022/2P/4C

<https://www.mhc.tn.gov.in/judis>