



WEB COPY

CRL OP(MD).



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/04/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.7409 of 2023

R.Chandru,

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
in Crime No.75/2023..

... Respondent/Complainant

For Petitioner : M/s.Muthukamatchi V, 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.75/2023 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 08.03.2023 for the offences under sections 363 of IPC and sections 5(1),6 of POCSO Act and section 9 of Prohibition of Child Marriage Act, 2006 in Crime No.75 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner herein kidnapped his minor daughter and had married her against her wish, hence the case.

3. Heard both sides and perused the materials available on record including the First Information Report and the statement of
<https://www.hc.madras.gov.in/judis> recorded under Section 164 of Cr.P.C.



4. A perusal of the statement recorded under section 164 of Cr.P.C reveals the fact that the victim was kidnapped by the petitioner and thereafter he had compelled her to have sexual intercourse with her but the victim refused to do so and she does not like the petitioner touching her. Even then the petitioner touched her entire body and also had beaten her using iron rod. Thereafter he had brought the victim to the temple, where he tied thali. He had also beaten her and he had also directed the victim not to disclose anything about the kidnap by the petitioner and also threatened her to tell the police that she herself eloped with the petitioner, Therefore the petitioner had committed very serious offence as against the minor girl, hence this Court is not inclined to grant bail to the petitioner.

6. In the result, the petition stands dismissed.

sd/-

21/04/2023

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/04/2023

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

AAV
TO

- 1 THE OFFICER INCHARGE
SUB JAIL, PUDUKKOTTAI.
- 2 THE INSPECTOR OF POLICE
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7409 of 2023
Date :21/04/2023

PKP/MMS/SAR-3/26.04.2023/ **2P/4C**