



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.7443 of 2023

F.Stalin

... Petitioner/Accused No.2

Vs

The Inspector of Police,
Chekkanurani Police Station,
Madurai District.
Crime No. 143 of 2023.

... Respondent/Complainant

For Petitioner : Mr.R.Anand, Advocate
for M/s.I.Pinaygash, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 143 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 354(A), 354(D), 506(i) of IPC in Crime No.143 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused said to have conversation with sexual intent upon the defacto complainant and sexually harassed her and follow her personal interaction repeatedly and the petitioner herein tried to quiet the issue and support A1. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner was working as Economic Professor and he had completed Ph.D in Economics. He would further submit that the defacto complainant was compelled to give a false case as against the petitioner. The prosecution has registered case for the offence under sections 294(b), 354(A), 354(D) and 506 (i) of IPC. He would further submit that all the allegations are against the first accused and in so far as the petitioner is concerned he only supported A1, hence he seeks anticipatory bail.

4. Heard both side and perused the materials available on record including the First Information Report and the statement of the victim recorded under section 164 of Cr.P.C.

5. A perusal of the statement recorded under section 164 of CrP.C reveals the fact the first accused was an English Professor for the victim girl. He used to call her and compelled her to have sexual intercourse with him. He also threatened her to commit rape on her. For the past several months he had threatened the victim not to disclose anybody about his act. Therefore the victim girl lodged complaint before the college authorities, Enquiry was conducted and in the enquiry it was found that the accused persons has committed very serious offence as against the victim, therefore the petitioner was suspended from service. He also threatened the victim to withdraw the complaint or else he would fail her in his subject. He also compelled the victim to agree to the first accused sexual intent. Therefore the petitioner had equally committed the offence along with the first accused, therefore custodial interrogation of the petitioner is very much required in this case.

5. Hence the petition stands dismissed.

sd/-

21/04/2023

/ TRUE COPY /

/04/2023

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

AAV

TO

1 THE INSPECTOR OF POLICE,
CHEKKANURANI POLICE STATION,
MADURAI DISTRICT.

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



CRL OP(MD).



23

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.I.PINAYGASH, Advocate (SR-6333[I] dated 21/04/2023)

WEB COPY

ORDER

IN

CRL OP(MD) No.7443 of 2023

Date :21/04/2023

RK/BUC/SAR-4(26/04/2023) 3P/4C