

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.05.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.7392 of 2020

Prakash

... Petitioner

Vs.

State Rep. by  
The Inspector of Police  
W1, All Women Police Station,  
Thousand Light,  
Chennai.  
(Crime No.2 of 2020)

... Respondent

**Prayer:** Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in Crime No.2 of 2020 on the file of the respondent police.

For Petitioner : Mr.V.Thillaikumar

For Respondent : Mr.Mohammed Riyas  
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.02.2020 for the offence punishable under Section 6 of the Protection of Children from Sexual Offences Act 2012 in Crime No.2 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl is aged about 14 years. The victim and her friend used to visit the 1<sup>st</sup> accused house. While so, the first accused informed the victim that if she budge her instructions and advice, she would provide huge amount of money. Believing the sugar coated words, the victim has been sexually exploited for commercial purposes by the accused persons. Further it is alleged that 26.02.2016, on the instigation of first accused, the victim went to unidentified person and the said two unidentified persons had physical intercourse with victim girl in a car near Arumbakkam Railway Station, subsequently she was recovered by her mother. Hence, this complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a professional driver and he is no way connected with the offence as alleged by the prosecution. He further

submitted that there is absolutely no material to show that the petitioner had physical relationship with the victim and further submits that the petitioner is in judicial custody from 27.02.2020 and hence, he seeks bail for the petitioner.

4.The learned Additional Public Prosecutor submitted that there are totally three accused persons and the petitioner is arrayed as A2. Believing the sugar coated words of A1, the victim girl was exploited by the accused persons. He further submitted that the victim is aged only 14 years and the petitioner has committed very serious and heinous offence and vehemently opposed for grant of bail to the petitioner.

5. Taking into consideration the nature of offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
05/05/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE SPECIAL JUDGE,  
SPECIAL COURT FOR POCSO ACT CASES,  
CHENNAI-600 104.

2 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,  
W1, ALL WOMEN POLICE STATION,  
THOUSAND LIGHT, CHENNAI.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL.

CC to MR.V.THILLAIKUMAR, Advocate on payment of necessary charges

CRL OP.7392/2020

Date :05/05/2020