

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.05.2020
CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
CrI.O.P.No.7604 of 2020

Gajendran

... Petitioner

Vs.

State Rep. by
The Sub-Inspector of Police,
Cheyyar All Women Police Station,
Tiruvannamalai District.
Cr. No.1 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.1 of 2020 on the file of the respondent police.

For Petitioner : Mr.E.Sathiyaraj.

For Respondent : Mr.Mohammed Riyaz,
Additional Public Prosecutor.

O R D E R

The petitioner, who was arrested and remanded to judicial
custody on 17.03.2020 for the offence punishable under Sections
376, 506(i) of IPC r/w Section 4 and 6 of POCSO Act in Crime No.1
of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner sexually
abused the victim minor girl, aged 14 years. Therefore, she got
pregnant and thereafter it was aborted. Hence, this complaint.

3.The learned counsel appearing for the petitioner would
submit that due to previous enmity, the petitioner has been
falsely implicated in this case and he did not commit any offence
as alleged by the prosecution. He would further submit that the
petitioner is in judicial custody from 17.03.2020 and hence, seeks
for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that
the petitioner is aged 59 years and he committed rape on a minor
girl aged 14 years as such she got pregnant and thereafter it was
aborted. Therefore, the petitioner has committed very serious
offence as against a minor girl. He further submitted that 164
statement is yet to be recorded and hence, he vehemently opposed
for grant of bail to the petitioner.

5.It is seen that the petitioner is aged 59 years and the victim girl is about 14 years. He committed rape on a minor girl and as such she got pregnant and thereafter it was aborted. The petitioner has committed very serious and heinous offence as against the minor girl. Therefore, this Court is not inclined to grant bail to the petitioner.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
15/05/2020

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 SESSIONS JUDGE,
SPECIAL COURT FOR TRIAL OF POCSO ACT CASES,
TIRUVANNAMALAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
CHEYYAR- ALL WOMEN POLICE STATION,
THIRUVANNAMALAI DISTRICT.

CC to M/S SATHIYARAJ E. Advocate on payment of necessary charges

MK:30/06/2020

CRL OP.7604/2020

Date :15/05/2020

WEB COPY