

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Cr1.O.P.No.9131 of 2020

Shree Ram Kumar

...Petitioner

-VS-

State rep. By
The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
Crime No. 722 of 2020. Respondent

PRAYER:- Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No. 722 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr. S. Kaithamalai Kumaran

For Respondent : Mr. K. Prabakar
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The case of the prosecution as per the Inspector of Prevention of Child Abduction, Tiruppur, is that the Petitioner has uploaded two pornographic videos relating to the child on 05.05.2020 in Facebook social media. The case was registered for the offence under Sections 13, 14(1) and 15 of the Protection of Children from Sexual Offences Act, 2012, and Section 67(B)(b) of the Information Technology Act, 2000, and the case was registered on 13.05.2020. The Petitioner was arrested and remanded to judicial custody on 13.05.2020.

2.The learned counsel for the Petitioner would submit that the Petitioner is innocent and he has been falsely implicated in this case. He would further submit that the Petitioner is alleged to have forwarded certain contents received in Facebook. He would further submit that the Petitioner is in judicial custody from 13.05.2020 and would seek for bail.

3.The learned Additional Public Prosecutor would submit that on the complaint of National Center for Missing and Exploited Children (NCMEC) to the Inspector of Prevention of Child Abduction, Tiruppur, the case has been registered for the offence under Sections 13, 14 (1) and 15 of the Protection of Children from Sexual Offences Act, 2012, and Section 67(B)(b) of the Information Technology Act, 2000. He would further submit that the Petitioner had committed serious offence of uploading pornographic material relating to children. He would further submit that the Petitioner is a native of Dhanbad District, Jharkand State and if he is granted bail, there is a chance of the Petitioner absconding and he may not be available for trial. He would further submit that the investigation is pending and opposed for grant of bail.

4.Heard both sides.

5.Taking into consideration that the Petitioner involved in offence of uploading child pornographic material and that investigation is pending and that the Petitioner is also a resident of Jharkand State, this Court is not inclined to grant bail for the present. Hence, this Petition is dismissed.

-sd/-

22/06/2020

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 INSPECTOR OF POLICE,
UTHUKULI POLICE STAION,
TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

CC to M/S S.KAITHAMALAI KUMARAN Advocate on payment of
necessary charges

CRL OP.9131/2020

Date :22/06/2020

TA-27/07/2020