

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 10742 of 2020

Manikandan

... Petitioner/Sole Accused

Vs.

The State represented by,

The Inspector of Police,

(W-22) All Women Police Station,

Mylapore, Chennai District.

(Crime No. 6 of 2020)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail pending investigation in Crime No. 6 of 2020, on the file of the respondent police.

For Petitioner : Mr.I.Periaswamy

For Respondent : Mr.T.Shunmugarajeswaran

Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 08.06.2020 for the offences punishable under Section 10 of POCSO Act, 2012 and 506(1) of IPC in Crime No. 685 of 2020 on the file of the respondent police, seeks bail.

2 The case of the prosecution is that the petitioner, who is a pet shop owner, has committed rape on the victim girl, who was working in his shop.

3 The learned counsel appearing for the petitioner would submit that the petitioner and the victim are relatives and the victim girl was working in petitioner's pet shop and that they were having an affair and later false complaint has been given against him.

4 The learned Government Advocate appearing for the respondent would submit that the petitioner has committed rape on the victim girl aged 17 years who was working in his shop and taken videos of the same. He would submit that the petitioner has also further threatened the victim girl that he would upload the videos in the social media and he has also compelled her to have sexual intercourse with him. He would further submit that the statement under Section 164 Cr.P.C has not been recorded from the victim girl and that the investigation is at the initial stage only.

5 Taking into consideration the facts and submissions made by the learned counsels and the fact that the investigation is at the initial stage, this Court is not inclined to grant bail to the petitioner at this stage. Hence this Criminal Original Petition stands dismissed for the present.

-sd/-
17/07/2020

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 COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
PUZHAL, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
(W-22) ALL WOMEN POLICE STATION,
MYLAPORE, CHENNAI DISTRICT.

CC to M/S. I.PERIASWAMY Advocate on payment of necessary charges

CRL OP.10742/2020

Date :17/07/2020