

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 11283 of 2020

S.Soundar @ Soundariyan

... Petitioner/Accused

Vs.

The State represented by,
The Inspector of Police,
All Women Police Station,
Dharmapuri District.
(Crime No.9/2020)

... Respondent/Defacto Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to grant bail to the petitioner in Crime No. 09 of 2020, on the file of the District Crime Branch, Tiruvarur and District.

For Petitioner : Mr.P.Vijendran

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 22.06.2020 for the offences punishable under Sections 5(I) read with Section 6 of POCSO Act, 2012 in Crime No. 09 of 2020 on the file of the respondent police, seeks bail.

2 The case of the prosecution as per the defacto complainant is that the petitioner has committed penetrative sexual assault on her and thereafter cheated her. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case. He would submit that the petitioner and the defaco complainant were having a love affair and thereafter some misunderstanding happened between them. Thereafter, the petitioner got married with another girl on 26.03.2020 and after his marriage, as an after thought, the defacto complainant has given a complaint against him.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has committed repeated penetrative sexual assault on the minor girl and thereafter cheated her and married another girl. He would further submit that the investigation is in the initial stage. Hence, he vehemently opposed to grant bail to the petitioner.

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

-sd/-
30/07/2020

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 JUDICIAL MAGISTRATE,
OMALUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
DHARMAPURI DISTRICT.

CC to M/S. P.VIJENDRAN Advocate on payment of necessary charges

CRL OP.11283/2020

Date :30/07/2020

cs 28/08/2020