

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A. D. JAGADISH CHANDIRA

Crl.O.P.No.13743 of 2020

Irfan @ Irfan Ullah

... Petitioner/Sole Accused

Vs.

The State Represented by,
The Inspector of Police,
AWPS Police Station,
Ambur, Thirupathur District.
Crime No. 8 of 2020

...Respondent /Complainant

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C.,
to enlarge the petitioner on bail in Crime No. 8 of 2020, pending on
the file of the respondent police.

For Petitioner : Mr.S.P.Arthi

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

The petitioner, who was arrested and remanded to the Judicial Custody on 10.08.2020, for the offence punishable under Section 6 of POCSO Act, 2012, in Crime No. 8 of 2020, on the file of the respondent police seeks bail.

2 The case of the prosecution is that the petitioner, who is brother-in-law of the victim girl, had committed penetrative sexual assault on the victim girl, aged 16 years. Hence, the complaint.

3 The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.

4 The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner had married sister of the victim girl two years back and it was a love marriage. Taking advantage of the possession, the petitioner had committed penetrative sexual assault on the victim girl, who is own sister of his wife. He would further submit that the investigation is pending. Hence, he vehemently opposed to grant bail to the petitioner.

5 Taking into consideration the facts and submissions made by the learned counsel and that the petitioner had committed penetrative sexual assault on his own sister-in-law, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

10/09/2020

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 FOR EXCLUSIVE
TRIAL OF CASES UNDER POCSO ACT,
VELLORE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE
SUB JAIL, AMBUR

4 INSPECTOR OF POLICE,
AWPS POLICE STATION,
AMBUR, THIRUPATHUR DISTRICT.

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

CRL OP.13743/2020

Date :10/09/2020

RVR 24/09/2020

WEB COPY