

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.16601 of 2020

Vijayakumar

... Petitioner

Versus

State rep. by
The Inspector of Police,
All Women Police Station,
Thiruvarur.
Crime No.19 of 2020.

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C. to enlarge the petitioner on bail in Crime No.19 of 2020 on the file of the respondent police.

For Petitioner : Mr.N.Palanivel

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

O R D E R

This case has been heard through video conferencing)

The petitioner who was arrested and remanded to judicial custody on 11.09.2020 for the alleged offences publishable under Sections 10, 9 (m) of the Protection of Children from Sexual Offences Act, 2012, in Crime No.19 of 2020, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had committed penetrative sexual assault on the minor girl, aged about 14 years. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner and the victim girl are from same village and that they fell in love with each other thereby a false complaint has been given against the petitioner. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the victim girl is aged about 14 years. On the date of occurrence, when the victim girl had gone to attend nature's call during night hours, the petitioner had followed her and committed penetrative sexual assault on her. He would submit that the investigation is at the preliminary stage. Hence he vehemently opposed to grant bail to the petitioner.

5. Heard the learned counsels and perused the materials placed on record.

6. It is seen that the petitioner has forcibly raped the victim girl who is aged about 14 years. Considering the serious nature of the offence and that the investigation is at the preliminary stage, this Court is not inclined to grant bail to the petitioner. Hence, this Criminal Original Petition stands dismissed.

-sd/-

22/10/2020

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,
FAST TRACK MAHILA COURT,
THIRUVARUR

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUVARUR.

4 THE OFFICER INCHARGE,
DISTRICT PRISON,
NAGAPATTINAM.

CC to M/S.N.PALANIVEL Advocate on payment of necessary charges

CRL OP.16601/2020

Date :22/10/2020

RVR 04/11/2020