

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2020

CORAM :

THE HON'BLE Mr. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.17263 of 2020

Ayyappan

... Petitioner

Vs.

State Rep by:-

The Inspector of Police,
Muthupettai Police Station,
Tiruvavur District.

(Crime No.2446 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.2446 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

(The cases have been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 08.10.2020 for the offences punishable under Sections 366-A of IPC and Section 6 r/w 5(L) of protection of Children from Sexual Offences Act 2012, in Crime No.2446 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the *de facto* complainant is that the petitioner kidnapped his minor daughter on 29.09.2020 and committed penetrative sexual assault on her. Hence, the complaint.

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

4.The learned Government Advocate (Crl. Side) appearing for the respondent would vehemently oppose the grant of bail stating that the petitioner, who is a married man, had kidnapped the victim girl and committed penetrative sexual assault on her. He would further submit that the investigation is still pending.

5. Taking into consideration the nature of offence and the fact that the investigation is pending and that the petitioner has been remanded to judicial custody recently on 08.10.2020, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
10/11/2020

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 OFFICER INCHARGE,
SUB-JAIL, NANNILAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
TIRUVARUR DIST.

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

WEB COPY

CRL OP.17263/2020

Date :10/11/2020

MK:24/11/2020