

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.12.2020

CORAM :

THE HON'BLE Mr. JUSTICE V.SIVAGNANAM

CRL.O.P.No.20018 of 2020

Dheena @ Dheenadhayalan

... Petitioner

Vs.

State rep by,
The Inspector of Police,
Anti Trafficking Cell, CBCID,
Egmore, Chennai.
(Crime No.3 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Criminal Procedure Code to release the petitioner on bail in Crime No.3 of 2020 on the file of the respondent Police.

For Petitioner : Mr.E.D.Sethupathi

For Respondent : Mr.L.Charles Premkumar
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 06.10.2020 for the offence punishable under Section 5(i), 5(j)(ii), 6 of POCSO Act, 2012 and 370 of IPC & 3(1), 4(1) of Immoral Traffic Prevention Act in Crime No.3 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is alleged to have committed penetrative sexual assault on the victim (minor) girl. 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. He would submit that the petitioner has been suffering incarceration from 06.10.2020 and hence, he prays for the grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would vehemently oppose stating that the petitioner committed penetrative sexual assault on the victim girl. He would submit that investigation is pending in this case.

5. Considering the grave nature of the offence and the circumstances of the offence committed, this Court is declined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-sd/-

30/12/2020

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,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, CHENGALPATTU.

2 THE INSPECTOR OF POLICE,
ANTI TRAFFICKING CELL, CBCID,
EGMORE, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

+1 CC to M/S E.D.SETHUPATHI Advocate on payment of necessary charges SR NO.8759

WEB COPY

CRL OP.20018/2020

Date :30/12/2020

MN-04/01/2021