

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Third day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7695 of 2021

KOVARTHANAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE, [RESPONDENT]
MUTHUPETTAI POLICE STATION,
TIRUVARUR DISTRICT
IN CRIME NO.244 OF 2021.

For Petitioner : M/S. N.PALANIVEL Advocate

For Respondent : Mrs.M.Prabhavathi Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 12.03.2021 for the alleged offences punishable under Sections 376, 506(ii) and 34 of IPC in Crime No.244 of 2021 on the file of the respondent police, seek bails.

2.The case of the prosecution is that the A1 had sexually assaulted the mentally ill victim girl who is the daughter of defacto complainant and accused persons A2 and A3 took video of the same. Now, the victim girl is pregnant. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner and the defacto complainant are residing in the same village and due to previous enmity, he has been falsely implicated in this case, and he is in no way connected with the alleged occurrence. Hence, he prays for granting of bail to the petitioners

4.The learned Additional Public Prosecutor submits that A1 had sexually assaulted the mentally ill victim girl who is the daughter of defacto complainant and accused persons A2 and A3 took video of the same. Now, the victim girl is pregnant. Further she submits that the petitioner's earlier petition was dismissed by the lower Court. Hence she vehemently opposed for granting bail to the petitioner.

5.Considering the fact that the offence is of a grave nature and that the petitioners have committed the offence on a hapless mentally ill girl and the severity of the offence committed by the petitioners does not call for any leniency at the hands of this Court. Hence this Court is not inclined to grant bail to the petitioners.

6.Accordingly, this criminal original petition is dismissed.

-sd/-

23/04/2021

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,
DISTRICT PRISON, NAGAPATTINAM

2 THE INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
TIRUVARUR DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.7695/2021

Date :23/04/2021

RVR 24/06/2021

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