

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.No.9407 of 2021

Balamurugan

... Petitioner

vs.

State represented by
The Inspector of Police,
All Women Police Station,
Sethiythope, Cuddalore District.
(Crime No.6 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No.6 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.I.Javid Akbar

For Respondent : Mr.A.Gopinath
Government Advocate (CrI. side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 03.04.2021 for the offences under Sections 294(b), 506(ii) I.P.C and Section 5(m) r/w.6 of POCSO Act in Cr. No.6 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that petitioner who is arrayed as accused abused his wife / defacto complainant in filthy language, sexually assaulting his minor daughter and threatened his mother - in - law. Hence the complaint.

3.The learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 03.04.2021 Therefore, he prays to grant bail to the petitioner.

4. Learned Government Advocate (Crl. Side) vehemently opposed the submissions of the learned counsel for the petitioner. He submits that the petitioner under the influence of alcohol had sexually assaulted his minor victim girl and abused his wife and mother - in - law. He further submits that the case is pending under investigation stage. Hence he vehemently objects to grant bail to the petitioner.

5. Considering the nature of offences, this Court is not entertained to grant bail to the petitioner as the case is pending at the investigation stage and the petitioner may hamper investigation if bail is granted. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

26/05/2021

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

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

3 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SETHIYATHOPE, CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.I.JAVID AKBAR Advocate on payment of necessary charges

WEB COPY

CRL OP.9407/2021

Date :26/05/2021

RVR 28/06/2021