



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Twenty Second day of June Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.10746 of 2021

VIJAYALAKSHMI

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
W-17, ALL WOMEN POLICE STATION,
PERAVALLORE, CHENNAI.
CRIME NO.1/2021

For Petitioner : M/S.C.JOHNSON SAMUEL Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (Crl. Side)

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 20.04.2021 for the alleged offences punishable under Section 10 of POCSO Act, 2012 and under Section 506(i) of IPC, in Crime No.1 of 2021, on the file of the respondent police, seeks bail.

2. This is the second bail application before this Court. The case of the prosecution is that the victim girl, who is minor, aged about 12 years, a school going girl. Both father and mother were separated and she is living with her mother. Further, A1 is a neighbour and used to visit the house of mother, where he had sexually assaulted the victim girl, aged about 12 years and the mother is a silent spectator to all these occurrence. Thereafter, when the occurrence came to the knowledge of father, he has given a complaint against the petitioner. Hence, the complaint.

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



4. The learned Government Advocate (Crl.Side) submits that the investigation reveals that the victim has given a statement under Section 164 of Cr.P.C before the Judicial Magistrate, wherein, she has stated that the petitioner used to come to her house and asked her to kiss him and also sexually assaulted here and also produced the copy of statement before this Court. Hence, he opposed for grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and the earlier petition was dismissed by this Court and there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
22/06/2021

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
W-17, ALL WOMEN POLICE STATION,
PERAVALLORE, CHENNAI.

CC to M/S.C.JOHNSON SAMUEL Advocate on payment of necessary charges

CRL OP.10746/2021

Date :22/06/2021

cs 17/07/2021