



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

Monday, the Fifth day of July Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.10602 of 2021

RISHI @ SURYA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION-CHENGAM,
CHENGAM,
TIRUVANNAMALAI DISTRICT.
CRIME NO. 3 OF 2020.

[RESPONDENT]

For Petitioner : M/S SATHIYARAJ E. Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (CrI. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested for the offence under Section 363, 376(1) IPC r/w Section 4 and 6 of Protection of Children from Sexual Offence Act, 2012 in Cr.No.3 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 17.08.2020, the petitioner had committed sexual assault with victim girl viz., Priyanka aged about 9 years. When the victim girl informed the same to her mother / defacto complainant, she lodged a complaint to the respondent police and the petitioner was arrested by the law enforcing agency and kept in judicial custody . Hence this bail petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. The learned counsel further submitted that the petitioner was minor at the time of commission of offence and hence he has to be prosecuted under the Juvenile Justice Act. However, in order to implicate the petitioner in this case, the respondent Police has registered a case and remanded to judicial Custody and hence prays for bail.



4. The learned Government Advocate (Crl.Side) strongly opposes this petition and submits that the petitioner had committed sexual assault with a minor victim girl and since the commission of offence is very heinous in nature, prays for dismissal of this bail petition.

5. A perusal of the 164 statement recorded clearly reveals that there are serious allegations levelled against the petitioner and therefore, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
05/07/2021

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 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION-CHENGAM,
CHENGAM,
TIRUVANNAMALAI DISTRICT.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

CC to M/S SATHIYARAJ E. Advocate on payment of necessary charges

CRL OP.10602/2021

Date :05/07/2021

JPA 20/07/2021