



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.10774 of 2021

JAYAKUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
INSPECTOR OF POLICE,
MUTHUPET POLICE STATION,
THIRUVARUR DISTRICT.
CR.NO.314 OF 2021

[RESPONDENT]

For Petitioner : M/S. SWAMISUBRAMANIAN 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 366(A) Indian Penal Code and Section 6 and 5(1) of the Protection of Children from Sexual Offences Act, 2012 in Cr.No.314 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the paternal uncle of the victim girl and the defacto complainant is the mother of the victim girl. The defacto complainant alleging that her daughter was found missing and suspecting that the petitioner would have kidnapped her daughter, has lodged a police complaint before the respondent Police. Thereafter, on the complaint, the petitioner was arrested by the law enforcing agency on 20.04.2021 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 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 continuously on the pretext of marriage 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 the petitioner has sexually assaulted the minor victim girl on compulsion and further there are very serious allegations levelled against the petitioner in the said statement 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,
MUTHUPET POLICE STATION,
THIRUVARUR DISTRICT.

2 THE OFFICER INCHARGE
DISTRICT PRISON, NAGAPATTINAM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.10774/2021

Date :05/07/2021

RW 15/07/2021