

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12112 of 2021

Hemanth @ Hemanath

... Petitioner

Vs.

State rep. by its
The Sub Inspector of Police,
Ayilpatty Police Station,
Nammakkal District.
Crime No.90 of 2021

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.90 of 2021 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 17.06.2021 for the offence under Section 366 of I.P.C., 5(1) r/w.6 of POCSO Act 2012 and 9, 11 of Prohibition of Child Marriage Act, 2006 in Cr.No.90 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner is alleged to have kidnapped the victim girl and performed her marriage with one Venkatesh.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and that he has been falsely implicated in the case. He would further submit that the petitioner is the maternal uncle of the victim and further submitted that the co-accused has already been released on bail.

4.The learned Government Advocate (Crl. Side) submitted that investigation reveals that the petitioner has performed the marriage

of the victim girl with one Venkatesh and after marriage, the said Venkatesh has harassed and tortured the victim girl and has also sexually assaulted her.

5.This Court perused the statement of the victim recorded under Section 164 of Cr.P.C., which reveals the facts submitted by the learned Government Advocate (Crl. Side). Hence, I am not inclined to grant bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

-sd/-

14/07/2021

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 JUDICIAL MAGISTRATE,
RASIPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
AYILPATTY POLICE STATION,
NAMAKKAL DISTRICT.

4 THE SUPERINDENT
CENTRAL PRISON, SALEM

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. W.CAMYLES GANDHI Advocate on payment of necessary charges

CRL OP.12112/2021

Date :14/07/2021

APN 26/07/2021