



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

Monday, the Nineteenth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.12457 of 2021

ILIYAS

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VANDAVASI, TIRUVANNAMALAI
CRIME NO.3 OF 2020

[RESPONDENT]

For Petitioner : M/S B.JAWAHAR Advocate

For Respondent : Mr.A.Gopinath Government Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

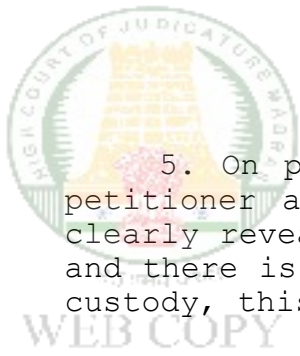
ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 26.07.2021 for the offence punishable under Section 366(A), 363, 366, 376(DA) of IPC and Section 5(g) read with 6 of POCSO Act 2012 in Crime No.3 of 2020 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner along with other accused persons kidnapped the victim, who is a minor, aged about 14 years, and committed gang penetrative sexual assault on the victim child. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has nothing to do with the alleged offence and a false case has been foisted against him and he is in judicial custody from 26.07.2021. Hence, he prayed for grant bail to the petitioner.

4. The learned Government Advocate submitted that the victim has been produced before the learned Judicial Magistrate, Vandavasi and recorded 164 statement. In which, she stated that on 24.07.2020, the petitioner along with the other accused persons kidnapped the victim and committed gang penetrative sexual assault on the victim girl. Hence, he vehemently opposed to grant bail to the petitioner.



5. On perusal of 164 statement, the victim has stated that the petitioner along with other accused made gang rape on her and also clearly revealed the incident. Considering the gravity of the offence and there is specific overt act of the accused and period of judicial custody, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

19/07/2021

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 SUPERINTENDENT,
CENTRAL PRISON, VELLORE

2 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUVANNAMALAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.12457/2021

Date :19/07/2021

RVR 29/07/2021