



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.12458 of 2021

THIRUMAL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DHARMAPURI DISTRICT.
(CRIME NO.07/2020)

[RESPONDENT]

For Petitioner : M/S.M.SELVAM Advocate

For Respondent : MR. 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 20.10.2020 for the alleged offences punishable under Sections 366, 376(1) of IPC read with Section 5(1), 6, 11(5) and 12 of POCSO Act 2012 in Crime No.7 of 2020, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that when the victim girl was studying in Arts College, the petitioner was working as a driver in the same college. At that time, the petitioner was continuously talking with the victim. Using that situation, the petitioner had committed sexual assault on the victim girl, who is aged about 20 years, on various occasions and threatened her. Hence the complaint.

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

4.The learned Government Advocate would submit that the victim girl has been produced before the learned Judicial Magistrate, Dharmapuri and recorded the 164 statement. In which, she has stated that the petitioner raped the victim on various occasions and taken photographs and video with the victim and threatened her not to tell anything to anyone. Hence, he vehemently opposed for grant of bail to the petitioner.



5. On perusal of 164 statement, there is serious allegation levelled against the petitioner. Considering the gravity of offence made by the petitioner, 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, SALEM.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DHARMAPURI DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.SELVAM Advocate on payment of necessary charges
SR.NO.7560

CRL OP.12458/2021

Date :19/07/2021

INBA 29/07/2021