



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

Friday, the Thirteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13772 of 2021

L.GUNASEELAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
J 13-THARAMANI POLICOE STATION,
CHENNAI
CR.NO.341 OF 2020

[RESPONDENT]

For Petitioner : M/S.D.UDHAYASURIYAN 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 23.09.2020 for the offence under Sections 306, 354(C), 354(D), 506(i) of IPC and 5(1)(p) r/w 6, 9(1) (P) r/w 10, 11 (iii) r/w 12, 13(b)(c), 14(3) of POCSO Act, 2021 and Section 67(B)(e) of IT Act, 2000 and 4(B) of TNPHW Act, 1998 in Cr.No.341 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is alleged to have developed love affair with one Kanishka and there was dispute inbetween them and the said Kanishka refused to accompany with the petitioner. Thereafter, the petitioner approached one Manikandan who is a Barber and made phone call to the said Kanishka's brother and threatened that if Kanishka fail to continue love affair with him, he will upload the nude photographs of Kanishka in the social media, due to which, the said Kanishka committed suicide.

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 this case. He further submitted that initially, the petitioner was detained under Goondas Act and it was set aside by this Court in H.C.P.No.728 of 2021 on 13.07.2021.



4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of bail to the petitioner by submitting that the petitioner has committed heinous offence.

5.This Court perused the statement of the witnesses recorded under Section 164 of Cr.P.C., which reveals that the petitioner approached one Manikandan and made phone call to the deceased Kanishka's brother and threatened that if Kanishka fail to continue love affair with him, he will upload the nude photographs of Kanishka in the social media. Considering the gravity of the offence committed by the petitioner, I am not inclined to grant bail to the petitioner.

6.Accordingly, this criminal original petition is dismissed.

-sd/-

13/08/2021

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 JAIL, PUZHAI, CHENNAI

2 THE INSPECTOR OF POLICE,
J 13-THARAMANI POLICE STATION,
CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.13772/2021

Date :13/08/2021

RVR 26/08/2021