



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

Monday, the Sixth day of September Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16074 of 2021

T.JAYACHANDRAN

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP.BY  
THE SUB INSPECTOR OF POLICE,  
W-34, ALL WOMEN POLICE STATION,  
ENNORE, CHENNAI - 600 057.  
CR.NO.01/2020.

[ RESPONDENT ]

For Petitioner : M/S.P.BHARATH Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate ( CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 5(m), 5(n), 5(l) r/w. 6 of POCSO Act 2012, registered on 20.01.2020 as per the direction by the learned Judicial Magistrate, Thiruvottiyur in CrI.M.P.No.3877 of 2019, on the basis of the complaint given by the wife of the petitioner/mother of the victim under sections 156(3) of Cr.P.C on 28.08.2019. Victim is the blood daughter of the petitioner who is aged about 7 years at the time of alleged occurrence in Crime No.1 of 20201 on the file of the respondent seeks anticipatory bail.

3. The case of the prosecution is that the petitioner had illegal intimacy with several persons. The defacto complainant got married to the petitioner on 17.06.2010. After the marriage, they are blessed with the victim girl child. The petitioner was running a mobile shop and he used to keep illegal relationship with his customers and the same was questioned by the defacto complainant, it leads to the misunderstanding between the defacto complainant and the petitioner. The defacto complainant left the matrimonial home and stayed in her parents home. When the petitioner came to the defacto complainant's parents home to compromise with the defacto complainant for reunion, he sexually harassed his 7 years old minor girl. Hence, the complainant.



4. The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. Hence, he seeks for grant of anticipatory bail to the petitioner.

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5. The learned Government Advocate (Crl. Side) would submit that the victim girl is the blood daughter of the petitioner, aged about 7 years at the time of occurrence. He further submits that statement u/s 164 Cr.P.C. has been recorded from the victim girl. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

6. The perusal of the statement of the victim recorded in the 164 Cr.P.C reveals that the victim has made categorical allegations against the petitioner to the effect that sexual acts were perpetrated by the petitioner.

7. In view of the said statement of the victim, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the same is dismissed.

-sd/-  
06/09/2021

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 SUB INSPECTOR OF POLICE,  
W-34, ALL WOMEN POLICE STATION,  
ENNORE, CHENNAI - 600 057.

2 THE PUBLIC PROSECUTOR,  
HIGH COURT, MADRAS.

+1 CC to M/S.P.BHARATH Advocate on payment of necessary charges  
SR.NO.9636

CRL OP.16074/2021

Date :06/09/2021

INBA 23/09/2021