



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16775 of 2021

G.MAGESH

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
R-6 KUMARAN NAGAR POLICE STATION,
JAFFERKHANPET, CHENNAI-600 034.
CRIME NO.469 OF 2021.

For Petitioner : M/S.S.MOHAN RAJ Advocate

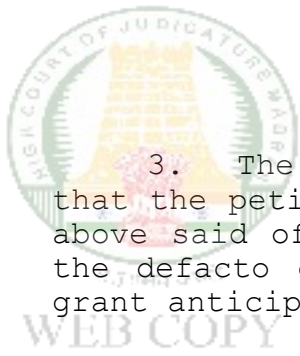
For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrested for the alleged offence under Section 294(b) & 506(ii) of IPC r/w 11(1)(4) & 12 of POCSO Act, 2012 in Crime No.469 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner followed the victim girl while she was returning home from school and asked her mobile number, the victim girl avoided the petitioner and informed her father/defacto complainant about the incident. Hence, the defacto complainant/father of the victim girl warned the petitioner. In spite of that, the petitioner continuously followed and tortured the victim girl. Thereafter, the petitioner along with his brother consumed Alcohol and went to the defacto complainant's house at 12 a.m. The brother of the petitioner threatened and abused the defacto complainant using filthy language. Hence, the defacto complaint lodged a complaint. Based on which, the law enforcing agency registered the case against the petitioner and other accused person.



3. The learned counsel appearing for the petitioner submitted that the petitioner Alis innocent and he is no way connected with the above said offences and he just went to compromise the issue between the defacto complainant and the petitioner A2. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate submitted that the statement of the victim girl has been recorded under Section 164 Cr.P.C. and the petitioner had continuously tortured the victim girl. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. A perusal of the statement of the victim girl under Section 164 Cr.P.C reveals that the petitioner A1 has continuously tortured the victim girl and abused the defacto complainant using filthy words. Considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
20/09/2021

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 INSPECTOR OF POLICE,
R-6 KUMARAN NAGAR POLICE STATION,
JAFFERKHANPET, CHENNAI-600 034.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.MOHAN RAJ Advocate on payment of necessary charges

CRL OP.16775/2021

Date :20/09/2021

JPA 29/09/2021