



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18499 of 2021

SHEKHINAH SHAWN

[PETITIONER / ACCUSED]

Vs

STATE

[RESPONDENT]

THE INSPECTOR OF POLICE,
W-4, ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI.
(CR.NO.06 OF 2021)

For Petitioner : M/S. M.P.SARAVANAN Advocate

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

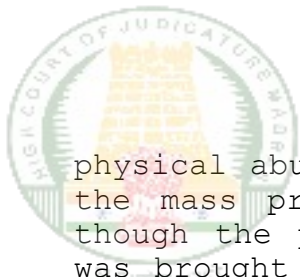
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested on 12.04.2021 and remanded to judicial custody for the alleged offences punishable under Sections 10 r/w 9(1), 9(m), 9(n) and 17 of Protection of Children From Sexual Offence Act 2012 and 506(ii) of IPC, 1860, in Crime No.06 of 2021, on the file of the respondent police, seeks bail.

2. This is the third bail application was filed before this Court. The case of the petitioner is the sister of the defacto complainant and the aunt of the victim girl. As the defacto complainant was a renowned artist in the filmdom, she had left her daughter, viz, the victim girl, in the custody of her mother and the petitioner, who is the aunt of the victim girl, was in the habit of taking the victim girl to her house. It is the further case of the prosecution that the petitioner, though originally belong to Hindu religious, but had converted herself to Christianity along with her husband and son, Pursuant to the said conversion, the petitioner used to partake in the religious mass prayers.

3. It is the further case of the prosecution that as the defacto complainant was on the move constantly due to her avocation, the victim girl was taken to the house of the petitioner, where she was physically abused by the son of the petitioner and also her husband. It is the further case of the prosecution that under guise of taking the victim girl to mass prayers, the victim girl was subjected to



physical abuse by the pastor, who was in the forefront of conducting the mass prayers. It is the further case of the prosecution that though the physical and sexual abuse meted out to the victim girl was brought to the notice of the petitioner, however, the petitioner was unmindful of the said physical and sexual abuse meted out to the victim girl and had brushed aside the complaint made by the victim girl about the acts perpetrated on her by the petitioner's son, her husband and also the pastor, It is the further case of the prosecution that the petitioner not only brushed aside the complaints made by the victim girl, but had asked the victim to keep quiet and not to speak about the said acts to any person and, thereby, abetted in the commission of the crime. It is further case of the prosecution that the victim girl, after considerable effort made out of the house of the petitioner and with great difficulty reached the abode of her mother and communicated the abuse faced by her to her mother, which resulted in the resultant complaint filed before the respondent leading to the registration of the case.

4. The learned counsel for the petitioner submitted that the petitioner is an innocent person and she is no way connected with the alleged offences by the prosecution and he has been falsely implicated in this case. He further submitted that she has been in jail from 12.04.2021. Hence he prays for grant of bail to the petitioner.

5. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that earlier bail was dismissed by this Court in CrI.O.P.No.14439 of 2021 and there is no change of circumstances. He further submitted that 164 statement has also been recorded from the victim girl. He also further submitted that there are serious allegations made against the petitioner. Hence, he vehemently opposed for grant of bail to the petitioner.

6. On perusal of the 164 statement and there are serious allegations made against the petitioner and earlier bail application was dismissed by this Court and she has involved in very heinous offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
04/10/2021

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.



1 THE INSPECTOR OF POLICE,
W-4, ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI.

2 THE SUPERINTENDENT,
CENTRAL WOMEN PRISON,
PUZHAL, CHENNAI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. M.P.SARAVANAN Advocate on payment of necessary
charges

CRL OP.18499/2021

Date :04/10/2021

CSK 26/10/2021