



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17716 of 2021

1 T.VIJAY
2 THIYAGU

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
DHARMAPURI DISTRICT.
CRIME NO. 7 OF 2021.

[RESPONDENT]

For Petitioner : M/S.J.PRADEEP 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 petitioners, who were arrested on 23.07.2021 and remanded to judicial custody for the alleged offences punishable under Sections 3, 4, 5(g), 6 of POCSO Act, 2012 and Section 506(i) of IPC Section 67A, 67B(b) of Information of Technology(Amendment) Act 2008 INF C, in Crime No.7 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that there was a love affair between the victim girl and one Ajithkumar. Thereafter, they have eloped and he had sexual intercourse with her, at that time, the petitioners came there and the first petitioner had compelled the victim girl to have sexual intercourse with him and the second petitioner had taken a video of the sexual activities said to have been done by the first petitioner in his cellphone. Further, the petitioner had circulated the obscene video in social media and threatened the victim girl with dire consequences. Hence, the complaint.



3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are in no way connected with the alleged offences and they have been falsely implicated in this case. He further submits that the petitioners have been in jail from 23.07.2021. Hence he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that the first petitioner had compelled the victim girl to have sexual intercourse with him and the second petitioner had taken a video of the sexual activities said to have been done by the first petitioner in his cellphone. Further, the petitioner had circulated the obscene video in social media and threatened the victim girl with dire consequences. He further submits that there is serious allegation made against the petitioners. He also produced the 164 statement of the victim girl. Hence, he vehemently opposed for grant of bail to the petitioners.

5. A perusal of the 164 statements reveals that there is serious allegation made against the petitioners and considering the gravity of offence, this Court is not inclined to grant bail to the petitioners.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

24/09/2021

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

CC to M/S.J.PRADEEP Advocate on payment of necessary charges
CRL OP.17716/2021

Date :24/09/2021

RW 07/10/2021