



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

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.20052 of 2021

PANDIYAN @ AKASH

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
PUDUPETTAI, CUDDALORE DISTRICT.
(CRIME NO.613 OF 2021).

[RESPONDENT]

For Petitioner : M/S.M.VIJAYA RAGAVAN 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 on 07.08.2021 and remanded to judicial custody for the alleged offences punishable under Sections 307, 354(A), 354(B), of IPC r/w Sec.12 of POCSO Act @ 354(A), 354(B), 302 of IPC r/w Sec.12 of POCSO Act @ 306 of IPC r/w Sec.4(B) of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.613 of 2021, on the file of the respondent police, seeks bail.

2. This is the second bail application filed before this Court. The case of the prosecution is that the petitioner had given love tortured to the victim girl. Hence, the complaint was given against the petitioner before the respondent police station and the case was registered in Crime No.10 of 2021 for the offence punishable under Sections 354(A), 354(D) & 506(i) of IPC and Sec 4 TNPWH Act and Sec. 7 & 8 of POCSO Act. Further, the petitioner was arrested and remanded to judicial custody, thereafter, he was released on bail. After coming out on bail, again, the petitioner had once again started to give love torture to the victim girl and threatened her to withdraw the case, due to which, the deceased had consumed pesticide, later she died. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is in no way connected with the alleged offences and he has been falsely implicated in this case.



He further submitted that the petitioner and the deceased are lovers. He also further submitted that the petitioner has been in jail from 07.08.2021. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that earlier bail application was dismissed by this Court in Crl.O.P.No.16496 of 2021 dated 15.09.2021. He further submitted that the petitioner had instigated the victim girl to commit suicide, thereby she had consumed pesticide, later she died. Hence, he vehemently opposed for grant of bail to the petitioner.

5. This Court is of the view that the statement under Section 164 Cr.P.C., it seen that there are serious allegation made against the petitioner and dying declaration of the victim girl alleged that the petitioner is solely responsible for her suicide and earlier bail application was dismissed by this Court, there is no change of circumstances, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

27/10/2021

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.

TO

1 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

2 THE INSPECTOR OF POLICE,
PUDUPETTAI, CUDDALORE DISTRICT.

3 THE PUBLIC PROSECUTOR, HIGH COURT, MADRAS.

CC to M/S.M.VIJAYA RAGAVAN Advocate on payment of necessary charges

CRL OP.20052/2021

Date :27/10/2021

RVR 17/11/2021