



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19871 & 19828 of 2021

VEDIYAPPAN [PETITIONER / ACCUSED
IN CRL.O.P.No.19871/2021]

VEDIYAPPAN @ VEDI [PETITIONER / ACCUSED
IN CRL.O.P.No.19828/2021]

Vs

STATE REP BY [RESPONDENT IN CRL.O.P.No.19871/2021]
THE INSPECTOR OF POLICE,
SINGARAPETTAI POLICE STATION,
KRISHNAGIRI DISTRICT.
(CRIME NO.313/2021)

STATE REP.BY [RESPONDENT IN CRL.O.P.No.19828/2021]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KRISHNAGIRI.
(CRIME NO.18 OF 2021)

For Petitioner : M/S.S.SATHISH RAJAN, Advocate
[CRL.O.P.No.19871/2021]

For Petitioner : M/S.M.P.SARAVANAN, Advocate
[CRL.O.P.No.19828/2021]

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)
[IN BOTH THE PETITIONS]

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

Crl.OP.No.19871 of 2021

The petitioner, who was arrested and remanded to judicial custody on 22.09.2021 for the alleged offences punishable under Sections 3 and 4 of POCSO Act in Crime No.313 of 2021, on the file of the respondent police, seeks bail.



Crl.OP.No.19828 of 2021

The petitioner, who was arrested and remanded to judicial custody on 01.10.2021 for the alleged offences punishable under Sections 363, 366 of IPC, 5(1) r/w 6 of POCSO Act 2012 in Crime No.18 of 2021, on the file of the respondent police, seeks bail.

2. The petitioner is the accused in both the cases and the victim is the one and the same in both cases.

3. The case of the prosecution in Crime No.313 of 2021 is that when the victim girl went for grazing the bullock in a nearby lake, the petitioner forcibly kidnapped the victim minor girl and he had committed penetrative sexual assault. Hence, the complaint.

4. The case of the prosecution in Crime No.18 of 2021 is that the petitioner's family forcibly performed the marriage of the minor victim girl with the petitioner and he had committed penetrative sexual assault and abandoned the victim girl. Hence, the complaint.

5. The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner and the victim girl are lovers and the victim girl on her own volition went along with the petitioner and entered into marriage in the presence of elders of the family. Hence, he prays for grant of bail to the petitioner.

6. The learned Government Advocate (Crl.Side) submits that the statement of the victim girl u/s 164 Cr.P.C was recorded, which has been produced before the Court.

7. A perusal of the statement recorded under Section under 164 of Cr.P.C, reveals that the victim girl has alleged that she was forcibly taken by the petitioner and other accused persons and marriage was performed and that on an earlier occasion, the very same petitioner forcibly kidnapped the victim minor girl and he had committed penetrative sexual assault on the victim.

8. In view of the gravity of the allegations made against the petitioner complied with the 164 Statement of the victim, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, these Criminal Original Petitions are dismissed.

-sd/-

02/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



1 THE INSPECTOR OF POLICE,
SINGARAPETTAI POLICE STATION,
KRISHNAGIRI DISTRICT.

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KRISHNAGIRI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

CC to M/S S.SATHISH RAJAN Advocate on payment of necessary
charges

CRL OP.19871 & 19828/2021

Date :02/11/2021

TA-18/11/2021