



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the First day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20119 of 2021

MOHANBABU

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KANGAYAM, TIRUPPUR DISTRICT.
(CR.NO.08 OF 2021)

[RESPONDENT]

For Petitioner : M/S. SURESH 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 and remanded to judicial custody on 13.09.2021 for the alleged offences punishable under Sections 7 r/w 8 of POCSO Act, 2012, r/w 506(i) IPC in Crime No.8 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbours and when the victim was alone in her house , the petitioner forcibly took her inside of his house and sexually assaulted the victim. Hence, the complaint.

3.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 there is an existing land dispute between the petitioner's family and defacto complainant's family and in order to wreck vengeance, this false case has been foisted against the petitioner. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that the statement of the victim girl u/s 164 Cr.P.C has been recorded.



5. On perusal of the statement recorded under Section under 164 of Cr.P.C, reveals that when the victim was alone in her house, the petitioner forcibly took her inside of his house and sexually assaulted the victim.

6. Considering the submissions made by both counsel and on perusal of 164 Statement reveals that there was a serious allegations levelled against the petitioner, this court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
01/11/2021

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,
ALL WOMEN POLICE STATION,
KANGAYAM, TIRUPPUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. SURESH Advocate on payment of necessary charges
SR.NO.12300

CRL OP.20119/2021

Date :01/11/2021

CSK 12/11/2021