



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

Monday, the Eighth day of November Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI
CRIMINAL ORIGINAL PETITION No.20956 of 2021

JEEVA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUCHENGODE POLICE STATION,
NAMAKKAL DISTRICT
(CRIME NO.18/2021)

[RESPONDENT]

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

For Respondent : MR.A.GOKULAKRISHNAN, ADDITIONAL PUBLIC PROSECUTOR

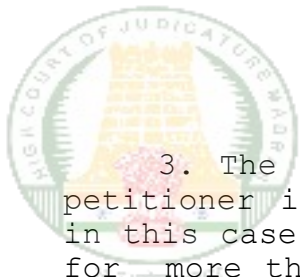
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 10.08.2021 for the offences under Sections 452, 354, 325, 376(1), 326, 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act 2002, in Crime No.18 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 08.08.2021 at about 7.30 p.m. the victim lady who is aged about 63 years came out of her house to take sugar box. At that time, the petitioner forcefully took her inside her house and raped by closing her mouth using cloth during which, one of her teeth also got broken. Further, the petitioner has told the victim that he will come again on the next day and also threatened her not to disclose the same to anyone. Thereafter, the victim informed the same to her son/defacto complainant. Subsequently, the defacto complainant and his wife and son stayed in the victim's home. On the next day at about 11.30 p.m., again the petitioner came to the victim's house. At that time, the son and grandson of the victim caught hold of the petitioner and handed over him to the police. Hence the complaint.



3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and that the petitioner has been suffering incarceration for more than 85 days from 10.08.2021. He would further submit that the petitioner is prepared to abide by any stringent condition that may be imposed on him and would pray for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would strongly object stating that the age of the victim is about 63 years and she is a widow and the age of the petitioner is 24 years and that the petitioner has committed sexual harassment on the old aged lady forcefully and investigation yet to be completed.

5. Taking into account the grave nature of offence, this court is not inclined to enlarge the petitioner on bail. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/11/2021

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 SUPERINTENDENT,
CENTRAL PRISON, SALEM

2 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
TIRUCHENGODE POLICE STATION,
NAMAKKAL DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.20956/2021

Date :08/11/2021

RVR 15/11/2021