



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Second day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.21939 of 2021

VIJAYAKUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.
CR.NO.463 OF 2021.

[RESPONDENT]

For Petitioner : M/S.J.BHARATHIRAJA Advocate

For Respondent : MR.S.BALAJI, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody on 02.09.2021 for the alleged offences punishable under Sections 323, 506(i) of IPC and Sections 3 r/w 4 of POCSO Act 2012, in Crime No.463 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 victim girl is aged about 14 years. It is alleged that on 31.08.2021, the petitioner assaulted the victim girl with a stick by damaging the private part of the victim girl and thereby attempted to commit penetrative sexual assault. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. He further submits that the petitioner has been remanded to judicial custody for more than two months. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submits that earlier this Court dismissed the petitioner's anticipatory bail petition in Crl.O.P.No.19240 of 2021 dated 20.10.2021 on the ground that the petitioner assaulted the victim girl with a stick by damaging the private part of the victim girl and thereby attempted to commit penetrative sexual assault. He further submits that investigation completed and charge sheet has been filed. However, he vehemently opposed for grant of bail to the petitioners.

5. In view of the fact that there being no change of circumstances pointed out, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
22/11/2021

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,
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE
DISTRICT JAIL, DHARMAPURI.

+1 CC to M/S.J.BHARATHIRAJA Advocate on payment of necessary charges SR.NO.13392

CRL OP.21939/2021

Date :22/11/2021

TA-06/12/2021