



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Nineteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21398 of 2021

IN SPECIAL SESSIONS CASE NO.102 OF 2020

(ON THE FILE OF THE SPECIAL COURT FOR EXCLUSIVE TRAIL OF CASES UNDER
POCSO ACT, TIRUVANAMALAI)

ELIYAS

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
VANDAVASI ALL WOMEN POLICE STATION,
THIRUVANAMALAI DISTRICT.
CRIME NO. 3/2020.

For Petitioner : M/S. S.SATHISH RAJAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)

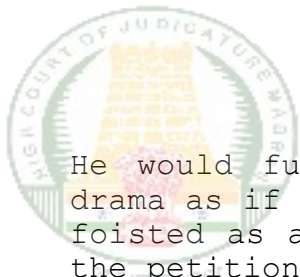
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 366(A), 363, 366, 376DA of IPC and Sections 6 and 5(g) of the POCSO Act, in Crime No.3 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused alleged to have committed rape on the victim girl on 24.07.2020. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner has nothing to do with the alleged offence and he has been falsely implicated in this case. He would further state that the defacto complainant and the victim were examined and cross examined.



He would further state that the defacto complainant by enacting a drama as if there was a gang rape on her daughter, the present case is foisted as against the petitioner. Hence, he prays to grant bail to the petitioner.

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4. The learned Government Advocate submitted that this case is gang rape offence and heinous crime in nature as against the society. He would further state that the accused is to be let out on bail, he may likely to commit similar kind of offence and he may abscond and commit offence in future. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and the nature of allegations against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

19/11/2021

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 SPECIAL COURT FOR
EXCLUSIVE TRAIL OF CASES UNDER POCSO ACT,
TIRUVANAMALAI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE INSPECTOR OF POLICE,
VANDAVASI ALL WOMEN POLICE STATION,
THIRUVANAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.21398/2021

Date :19/11/2021

RW 25/11/2021