



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.22213 of 2021

IN

SPECIAL C.C.NO.46 OF 2021

(On the file of the learned the Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore)

SENTHILKUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REPBY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION(WEST),
COIMBATORE DISTRICT.
(CRIME NO.04/2021)

[RESPONDENT]

For Petitioner : M/S.A.TAMILARASAN 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, who was arrested on 05.06.2021 and remanded to judicial custody for the offences punishable under Sections 11(4) and 12 of the Protection of Children From Sexual Offences Act, 2012, in Spl.C.C.No.46 of 2021 on the file of the learned Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, in Crime No.04 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner is the father of the defacto complainant. On 01.06.2021, the defacto complainant went to bathroom for taking bath, at that time, the petitioner is watching the defacto complainant while she is bathing by holding the door, and on noticing the same, the defacto complainant intimated to her grandmother and her grand mother advised the defacto complainant to record the video when the incident repeats in future. Hereafter, on 03.06.2021 as per advise of her



grandmother, the defacto complainant fixed a mobile phone near the bathroom door and went for taking bath. The petitioner once again had seen the bathing of the defacto complainant and the same was recorded by her in the mobile phone. Hence, the defacto complainant has given a complaint before the respondent police, thereby the case has been registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner has been in jail from 05.06.2021. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that already this Court has dismissed the bail application filed by the petitioner and this is the second bail application filed by him. Hence, he vehemently opposed for grant of bail to the petitioner.

5.Considering the gravity of offence committed by the petitioner and that already this Court has dismissed the bail application of the petitioner, this Court is not inclined to grant bail to the petitioner, as the offence committed by the petitioner is very serious in nature.

6.Accordingly, this Criminal Original Petition is dismissed.

-sd/-
24/11/2021

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
TRIAL OF CASES UNDER POCSO ACT,
COIMBATORE.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION(WEST),
COIMBATORE DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.TAMILARASAN
charges

Advocate on payment of necessary

CRL OP.22213/2021

Date :24/11/2021

CSK 06/12/2021