



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.22912 of 2021

PURUSHOTHAMAN JANA

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
KILPAUK POLICE STATION,
CRIME NO. 286 OF 2021

For Petitioner : M/S. M.JAIKUMAR Advocate

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

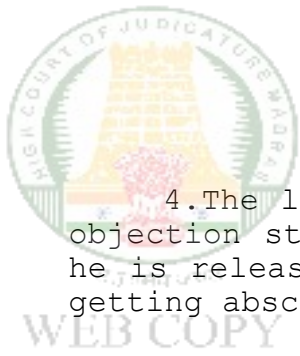
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 21.07.2021 for the offence under Sections Girl missing @ 366 IPC r/w 4 & 3(a), 8 & 7 of POCSO Act 2012, in Crime No.286 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that initially the case was registered under Section "Girl Missing" and subsequently on enquiry, it was found that the petitioner along with other accused kidnapped the victim girl and sexually assaulted her. Hence the case was altered into Sections 366 IPC r/w 4 & 3(a), 8&7 of POCSO Act 2012. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration for 120 days from 27.07.2021. Hence, he would pray for grant of bail to the petitioner.



4. The learned government Advocate (Crl. Side) would raise strong objection stating that the petitioner belongs to Orissa State and if he is released on bail, there is every possibility of the petitioner getting abscond or tampering the witnesses.

5. On seeing the grave nature of allegation and the fact that the petitioner belongs to other State, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

6. The trial Court is directed to give a reasonable time to the Counsel for the petitioner to talk to his client in order to get instructions and to defend his case.

-sd/-

01/12/2021

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,
CHENNAI

2 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI.

3 THE INSPECTOR OF POLICE,
KILPAUK POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.22912/2021

Date : 01/12/2021

RW 21/12/2021