



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixteenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23433 of 2021

THAMBIDURAI @ VETTRI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KARIMANGALAM POLICE STATION,
DHARMAPURI.
CRIME NO.442 OF 2021

[RESPONDENT]

For Petitioner : M/S. C.GANESH PANDIAN Advocate

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

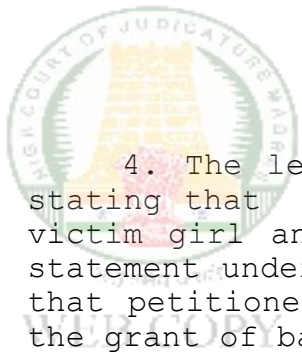
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 19.09.2021 for the offence under 363, 366 of IPC 5(i) r/w 6(1) of POCSO Act 2012 and Section 9 of Prohibition of Child Marriage Act - 2006 in Crime No.442 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution that petitioner kidnapped the victim girl and conducted the child Marriage and had sexual intercourse with her more than once. 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 is falsely implicated in this case and he further submits that based upon the complaint given by the defacto complainant, the respondent police filed a present case. He further submits that the petitioner has been suffering incarceration for more than 30 days from 19.09.2021. He prays for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) raised objection stating that petitioner is none other than uncle (Chithapa) of the victim girl and his relationship as father to victim girl and the statement under Section 164 Cr.P.C is recorded and he further submits that petitioner is having two children. Hence, he vehemently opposed the grant of bail.

5. Considering the grave nature of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
16/12/2021

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 INSPECTOR OF POLICE,
KARIMANGALAM POLICE STATION,
DHARMAPURI.

2 THE OFFICER INCHARGE
DISTRICT JAIL, DHARMAPURI.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.23433/2021

Date :16/12/2021

JPA 05/01/2022