



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.23660 of 2021

D.PRABU

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
POLUR ALL WOMEN POLICE STATION,
THIRUVANNAMALAI DISTRICT.
CRIME NO.13 OF 2021.

[RESPONDENT]

For Petitioner : M/S. S.B.VISWANATHAN Advocate

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

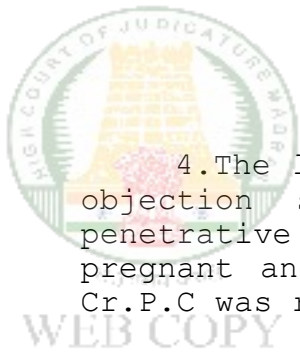
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who was arrested and remanded to judicial custody on 30.10.2021 for the offences under **Sections 312, 363, 366, 372(2) (n) and 506(ii) of IPC r/w Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 9 of the Child Marriage Act,** in Crime No.13 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner kidnapped and abducted the 16 years old minor victim girl , married her and repeatedly committed aggravated sexual assault on her.

3.The learned counsel for the petitioner submits that the petitioner is no way connected with the alleged offence and she has been falsely implicated in this case. He further submits that the petitioner and the minor victim girl are lovers and on her own volition, she eloped with the petitioner and had sexual relationship with her consent. He further submits that the petitioner has been suffering incarceration for more than 18 days from 30.10.2021 and hence, he would pray for grant of bail to the petitioners.



4. The learned Government Advocate (Crl. Side) would raise strong objection stating that the accused has committed aggravated penetrative sexual assault upon the minor victim girl and she become pregnant and the statement of the victim girl under Section 164 of Cr.P.C was recorded.

5. A perusal of 164 Statement reveals that the minor victim girl is aged about 16 years and the accused has committed aggravated penetrative sexual assault upon the minor victim girl and she become pregnant.

6. Considering the fact and circumstances of the case and also perused the 164 Statement and also the fact that the offences committed by the petitioner are heinous one, this court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
08/12/2021

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,
POLUR ALL WOMEN POLICE STATION,
THIRUVANNAMALAI DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

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

CRL OP.23660/2021

Date :08/12/2021

TA-27/12/2021