



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24857 of 2021

ARUN KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
G-3, KILPAUK POLICE STATION,
KILPAUK, CHENNAI-600 010.

[RESPONDENT]

For Petitioner : M/S.V.GIRI SHANKAR Advocate

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

PETITION FOR BAIL 439 Cr.P.C.

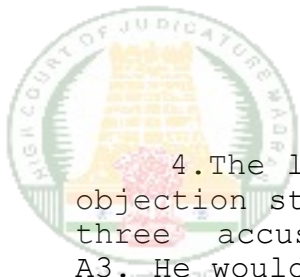
ORDER : The Court Made the following order :-

(The case has been heard through video conference)

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

2. The case of the prosecution is that the de facto complainant's minor daughter who was working as a Caretaker went missing. Later, it was found that the petitioner along with other accused persons kidnapped and sexually assaulted the victim girl who is aged about 16 years for two days. 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 and he has been suffering incarceration for more than 145 days from 21.07.2021. Hence, he would pray for grant of bail to the petitioner.



4. The learned Government Advocate (Crl. Side) would raise strong objection stating that a minor girl has been sexually harassed by the three accused persons for 2 days and the petitioner is arrayed as A3. He would further submit that the investigation has been completed and the charge sheet has been filed and the statement of the victim girl has been recorded under Section 164 Cr.P.C. and if the petitioner is released on bail, there is every possibility of the petitioner getting abscond and the trial would be stalled.

5. Perused the statement of the victim girl recorded under Section 164 Cr.P.C. Allegations are grave in nature.

6. On seeing the grave nature of offence as well as involvement of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
21/12/2021

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,
G-3, KILPAUK POLICE STATION,
KILPAUK, CHENNAI-600 010.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI.

+1 CC to M/S.V.GIRI SHANKAR Advocate on payment of necessary
charges SR.NO.15293

CRL OP.24857/2021

Date :21/12/2021

TA-05/01/2022