



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of December Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.24681 of 2021

PRIYANKA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
W-28, ALL WOMEN POLICE STATION,
AMBATTUR,
CHENNAI-600 053.
CRIME NO.06/2021

[RESPONDENT]

For Petitioner : M/S R.VIVEKANANTHAN 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 06.11.2021 for the offences under Sections 376(3) of IPC and Section 5(1), Section, 5(n) r/w 6 of Prevention of Children from Sexual offences Act 2012 r/w 17 of Prevention of Children from Sexual offence Act 2012, in Crime No.06 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the defacto complainant and she is the mother of the victim girl aged about 15 years. The petitioner had separated from her husband and got acquaintance with one Sandeep/A1. While so, on 05.11.2021, A1 sexually harassed the victim girl. Hence, the petitioner/defacto complainant lodged a complaint. Later, the petitioner was implicated in this case since, she was the reason for the offence committed by A1 on the victim girl.



3.The learned counsel for the petitioner would submit that the petitioner is the one who actually lodged the complaint against A1 and she is no way connected with the offence committed by A1. He would further submit that the petitioner has been suffering incarceration for about 40 days from 06.11.2021 and 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 victim is a minor aged about 15 years and that the petitioner is the root cause for the offence committed by A1 on the victim girl. Now the victim girl is under the care of her father and the statement under Section 164 Cr.P.C. has not been recorded and the investigation has not been completed.

5.A perusal of FIR, it is seen that the petitioner who is the mother of the victim is the reason for the offence committed by A1 on the victim girl and that the investigation has not been completed and hence, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

17/12/2021

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 SUPERINTENDENT,
CENTRAL PRISON FOR (WOMENS),
PUZHAL, CHENNAI.

2 THE INSPECTOR OF POLICE,
W-28, ALL WOMEN POLICE STATION,
AMBATTUR, CHENNAI-600 053.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.24681/2021

Date :17/12/2021

RW 30/12/2021