



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the First day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.1929 of 2022

BARKAT @ BARKATHULLA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VANDAVASI POLICE STATION,
THIRUVANNAMALAI DISTRICT.
CRIME NO.3 OF 2020

[RESPONDENT]

For Petitioner : M/S.M.PRABHAKARAN 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 26.07.2020 for the offence under Sections 363, 366, 366A and 376 (DA) of IPC and Section 5(g) r/w Section 6 of the POCSO Act, 2012 in Cr.No.3 of 2020 on the file of the respondent police seeks bail.

2. The case of the prosecution is that on the date of occurrence, the the petitioner along with other accused induced the minor girl aged about 14 years to come out of her home, kidnapped her with an intention to have illicit intercourse with her, committed gang rape upon the victim minor girl by giving Beer. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner has not committed any such offence as alleged by the prosecution and he has falsely implicated in this case. He further submits that the petitioner has been suffering incarceration for more than 1½ years from 26.07.2020. Hence, he prays to grant bail to the petitioner.



4. The learned Government Advocate (Crl.Side) raised objection stating that the petitioner's earlier petition was dismissed by this Court in Crl.O.P.No.25578 of 2021 dated 03.01.2022 on the ground that the petitioner has been detained under Act 14 of 1982.

5. Considering the facts and circumstances of the case and the submissions made by both counsel and also considering the gravity of 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/-
01/02/2022

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,
VANDAVASI POLICE STATION,
THIRUVANAMALAI DISTRICT.=

2 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.1929/2022

Date :01/02/2022

JPA 14/02/2022