



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Second day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.2378 of 2022

M.MOHAMED VABIK

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THUDIYALUR,
COIMBATORE DISTRICT
(CRIME NO.25 OF 2021)

[RESPONDENT]

For Petitioner : M/S P.KALIMUTHU 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 23.10.2021 for the offences under Section 3(a) r/w 4 of POCSO Act r/w under Section 420 of IPC, in crime No.25 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner gave false promise to the victim girl to marry her and had committed penetrative sexual assault against her. Hence, the complaint.

3. The learned counsel for the petitioner submits that the petitioner was no way connected in this case and he was falsely implicated in this case and he was suffering incarceration for more than 79 days from 23.10.2021. He would pray for grant of bail to the petitioner.



4. The learned Government Advocate (Crl.side) raised an objection stating that victim girl is aged about 17 years and the petitioner cheated the victim girl and sexually harassed her. He further submits that the statement of the victim girl under Section 164 of Cr.P.C has been recorded. He further submits that the petitioner's earlier bail petition was dismissed by this Court in Crl.OP.No.21965 of 2021 dated 20.12.2021. Hence, he vehemently opposed to grant bail.

5. A perusal of the 164 Statement reveals that the petitioner has stated that he sexually harassed her on many occasions.

6. Considering the facts and circumstances of the case and also the submissions made by both counsel and also considering the fact that there are serious allegations levelled against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
02/02/2022

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,
ALL WOMEN POLICE STATION,
THUDIYALUR, COIMBATORE DISTRICT

2 THE SUPERINTENDENT,
CENTRAL JAIL, COIMBATORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.2378/2022

Date :02/02/2022



JPA 14/02/2022

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