



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventh day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2836 of 2022

IN

SPECIAL S.C.NO.13 of 2021

(On the file of the Sessions Judge, Spcial Court for exclusive trial
of cases under POCSO Act, Villupuram)

KALIYAPERUMAL

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VILLUPURAM POLICE STATION,
VILLUPURAM DISTRICT.
(CR.NO.29 OF 2020)

[RESPONDENT/COMPLAINANT]

For Petitioner : M/S.V.GUNASEKAR Advocate

For Respondent : MS.G.V.KASTHURI Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrested for the alleged offence under Sections 341, 323, 506(i) of IPC and Sections 5(1), 5(j), (ii) r/w 6 of POCSO Act 2012 in Crime No.29 of 2020, seeks bail.

2. The case of the prosecution is that the age of the victim is 13 years, the petitioner / accused is the father of the victim and he is aged about 42 years, that the petitioner had committed the offence of sexual penetration by force against the willingness of the victim and caused criminal intimation by threatening her nit to disclose it anybody. Hence the complaint.



3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is in Judicial Custody from 22.11.2020 and as of now investigation has been completed and charge sheet also filed before the appropriate Court. Hence, he prays for grant of bail.

4. The learned Additional Public Prosecutor submitted that the investigation has been completed, as on now charge sheet has been filed. However, she vehemently opposed to grant bail to the petitioner.

5. Submissions made by the learned counsels on either side are considered along with relevant documents.

6. Admittedly, the petitioner / accused is the father of the victim girl. Further during the relevant point of time the victim girl is aged about 13 years, therefore considering the relationship between the petitioner / accused, also on considering the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

07/02/2022

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 SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRAIL OF CASES
UNDER POCSO ACT, VILLUPURAM.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VILLUPURAM POLICE STATION,
VILLUPURAM DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

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

CRL OP.2836/2022

Date :07/02/2022

CSK 09/02/2022