



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.2932 of 2022

CHANDRU

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PERAMBALUR DISTRICT.
CRIME NO.2/2022.

[RESPONDENT]

For Petitioner : M/S.M.VELMURUGAN Advocate

For Respondent : Mrs.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 5(1) 5(i) 5(ii) r/w 6 of POCSO Act 2012 in Crime No.2 of 2022, seeks bail.

2. The case of the prosecution is that the first accused Abbas had eloped with the victim girl and the victim girl became pregnant. Afterwards the mother of the victim girl lodged a complaint before the respondent police on 13.01.2022, upon which the respondent police registered FIR in Crime No.2 of 2022. The name of petitioner also reflected in this case. During investigation he was arrested and remanded to judicial custody on 13.01.2022. Hence this 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. Hence, he prays for grant of bail.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that during the relevant point of time the petitioner and another one accused after making a false assurance indulged in the sexual intercourse with the victim girl thereupon the victim girl becomes pregnant. According to him investigation is still pending.

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

6. The averments found in 164 Cr.P.C., statement given by the victim girl before the Magistrate discloses the fact that during the relevant point of time both accused committed the offence as alleged by the prosecution. The investigation is in initial stage. Therefore, considering the gravity of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

08/02/2022

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,
PERAMBALUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHIRAPALLI.

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

CRL OP.2932/2022

Date :08/02/2022

TA-17/02/2022