



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.4159 of 2022

RANJITH @ RANJITHKUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
MAGARAL POLICE STATION,
CHENGALPET DISTRICT.
(CR.NO.646/2020)

[RESPONDENT]

For Petitioner : M/S P.GANESH Advocate

For Respondent : MR.L.BASKARAN, 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 13.09.2020 for the offences under Sections 363, 366, 376 (AB), 506 (ii) of IPC r/w Section 4, 6 of POCSO Act 2012, in Crime No.646 of 2020, on the file of the respondent police seeks bail.

2. The case of the prosecution is that the on 10.09.2021 at about 16.30 hours while the victim girl who is aged about 8 years and her brother were playing outside her house, at that time, the petitioner kidnapped the victim girl to Nerimuthu lake and had committed aggravated penetrative sexual assault and threatened her not to disclose the incident to anyone. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner was detained under Section 2 (ggg) of Tamil Nadu Act 14. Subsequently, the said Act 14 was set aside by the Hon'ble Division Bench of this Court in B.C.D.F.G.I.S.S.V.No.70/2020 dated 30.11.2020 and he was suffering incarceration for more than 1 ½ years from 10.09.2020. Hence, he prays for bail.



4.The learned Government Advocate (Crl. Side)would raise strong objection stating that victim girl is aged about 8 years and the petitioner is aged about 23 years at the time of alleged occurrence. He abducted the victim to Nerimuthu lake and had committed aggravated penetrative sexual assault. He further submitted that the victim girl is now under the custody of her guardian and the investigation was almost completed, charge sheet also filed in Spl.S.C.No.32 of 2021 and the case was post for questioning.

5.Considering all the facts and welfare of the victim child, if he released on bail, he may tamper the evidence, since because the case is ripe for trial, this court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

7. Further, the trial Court is directed to dispose the case within six months from the date of receipt of a copy of this order.

-sd/-

16/03/2022

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,
MAGARAL POLICE STATION,
CHENGALPET DISTRICT.

2 THE SUPERINTENDENT
CENTRAL PRISON, PUZHAL.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S P.GANESH Advocate on payment of necessary charges
SR.No.4019

CRL OP.4159/2022

Date :16/03/2022

CSK 23/03/2022