



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Third day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.4468 of 2022

N.RAMAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
ARNI ALL WOMEN POLICE STATION,
THIRUVANNAMALAI DISTRICT.
CRIME NO.11/2021

[RESPONDENT]

For Petitioner : M/S. A.THIRUMARAN 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 was arrested and remanded to judicial custody on 31.08.2021 for the offences punishable under Sections 354, 363, 366, 376AB of IPC and Sections 5(m), 6, 9(m) and 10 of POCSO Act in Crime No.11 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, the petitioner sexually assaulted the victim child, who is aged about 7 years. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is the first time offender and he has not committed any offence as alleged by the prosecution. It is his further submission that the petitioner is in judicial custody from 31.08.2021 onwards. Hence, he prays for bail.



4. The learned Additional Public Prosecutor appearing for the respondent police raised objection stating that investigation is pending.

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5. Though the learned counsel for the petitioner contended that the petitioner is the first time offender and he has not committed any offence as alleged by the prosecution, the statement given by the victim child, who is aged about 7 years, at the time of occurrence, would disclose the fact that, during the relevant point of time, the petitioner took the victim child to his house and after removing the dress worn by her, indulged in the sexual activity. Even after seeing the blood, which was oozed from the vagina of the victim child, the petitioner continued the offence.

6. Therefore, this Court concludes the same that the offence committed by the petitioner, is so severe and due to the same, if this type of petitioner is released on bail, he may try to tamper the witness and hamper the investigation. Hence, this Criminal Original Petition is dismissed.

-sd/-

23/02/2022

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 SUPERINTENDENT,
THURAIKADAI PRISON, VELLORE.

2 THE INSPECTOR OF POLICE,
ARNI ALL WOMEN POLICE STATION,
THIRUVANNAMALAI DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. A.THIRUMARAN Advocate on payment of necessary charges SR.NO. 2819

CRL OP.4468/2022

Date :23/02/2022

RW 28/02/2022