



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

Monday, the Seventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.4871 of 2022

KESAVAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THROUGH THE STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION,
KOTTAKUPPAM, VILLUPURAM DISTRICT
CRIME NO.27/2021.

For Petitioner : M/S.R.BALAKRISHNAN Advocate

For Respondent : MR.LEONARD ARUL JOSEPH SELVAM,
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 30.12.2021, for the alleged offences punishable under Section 354-A of IPC and Section 12 of POCSO Act, 2012 in Crime No.27 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the de facto complainant got married to the petitioner and they are blessed with three daughters. The petitioner was doing milk business. Due to family dispute, the de facto complainant had gone to her mother's house and on 27.12.2021, the petitioner in a drunken mood, had committed the offence of sexual harassment to the victim girl, aged about 16 years, who is none other than his own daughter. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is in judicial custody from 30.12.2021. Further, he is the first time offender and hence, he may be released on bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police raised objection by stating that investigation is pending.



5. Now, on going through the history of the case projected by the prosecution it would appear that during the relevant point of time, the petitioner being the father of the victim child, in a drunken mood, attempted to misbehave with her daughter. Therefore, 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/-

07/03/2022

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 SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION,
KOTTAKUPPAM, VILLUPURAM DISTRICT

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

CRL OP.4871/2022

Date :07/03/2022

RVR 22/03/2022