



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on :21.04.2022

Pronounced on :26.04.2022

CORAM:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.6402 of 2022

Thirumal

.. Petitioner

/versus/

Union Territory of Puducherry represented by
The Station House Officer(SHO),
Orleanpet Police Station,
Puducherry.
(Crime No.170 of 2021)

.. Respondent

Criminal Original Petition has been filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of arrest by the respondent police in Crime No.170 of 2021 on the file of the respondent police namely the Station House Officer (SHO), Orleanpet Police Station, Puducherry.

For Petitioner :Mr.Prakash Adiapadam

For Respondent :Mr.V.Balamurugane
Public Prosecutor(Pondy)

O R D E R

The petitioner herein is 19 years old. He apprehends arrest by the respondent police in connection with a case registered in crime No.170 of 2021 under Sections 370(4), 370(A), 366-A of IPC and Sections 16, 6 & 8 of the Protection of Children from Sexual Offences Act, 2012 and Section 5(1)(d) (ii) and 6 (2A) of Immoral Traffic (Prevention) Act, 2012.

2.According to the prosecution, the minor daughter of the defacto complainant was undergoing Beautician Training under the first accused. Under guise of training-cum-employment, the owner of the beauty parlour compelled his daughter to have sex with the several of her customers. This petitioner is one such customer and his photo has been identified by the victim girl from the Face Book Account.



3.The Investigation has revealed that the petitioner has purchased a SIM Card in the name of the employee of his father and using this number for his personal purposes. This number is found in the dairy of the first accused, who is the owner of the beauty parlour. She is the prime accused, who has engaged the minor girl in flesh trade and this petitioner and others are her customers. The first accused has confessed that she has arranged the minor girl to have sex with these persons for money. The victim girl has also identified this petitioner as one of the person whom she was forced to have sex for money. Due to poverty, she obliged.

4.The call details and the dairy entries collected during the course of investigation has been placed before this Court to show that the petitioner is not an innocent person. Evidence including the statement of the victim girl identifying this petitioner as one of the person, who had sex with her prima facie proves the involvement of the petitioner in the offence of committing penetrative sexual assault on a minor child.

5.The Face Book Photo identified by the victim child is required to be confirmed by conducting identification parade. This petitioner is absconding and he is not available for investigation. Under these circumstances, this petition for anticipatory bail is devoid of merit. Hence, this Criminal Original Petition is dismissed.

-sd/-
26/04/2022

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 PRINCIPAL DISTRICT
JUDGE(PDJ), SPECIAL JUDGE FOR POCSO ACT,
PUDUCHERRY.

2 UNION TERRITORY OFFPUDUCHERRY
THE STATION HOUSE OFFICER (SHO),
ORLEANPET POLICE STATION,
PUDUCHERRY.



3 THE PUBLIC PROSECUTOR
PUDUCHERRY.

+1 CC to M/S.PRAKASH ADIAPADAM Advocate on payment of necessary
charges SR.NO. 6486

CRL OP.6402/2022

Date :26/04/2022

RW 02/05/2022