



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6624 of 2022

IN SPL.S.C.NO.170 of 2021

(On the file of the Special Judge for Exclusive Trial of Cases Under
Pocso Act 2012, Vellore, Vellore District)

BHARATHI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VANIYAMBADI,
THIRUVALLUR DISTRICT.
CRIME NO.1 OF 2021

[RESPONDENT]

For Petitioner : M/S.T.SARAVANAN Advocate

For Respondent : M/S.G.V.KASTHURI, Additional public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

Heard the learned counsel for the petitioner.

2.It is an aggravated penetrative sexual offence committed by the petitioner on 11 years old girl, who was studying 7th standard and in the Section 164 Cr.P.C. statement of the victim girl, she has stated the manner in which, she has been sexually abused by the petitioner herein.

3.The learned Additional Public Prosecutor states that investigation is almost completed and the final report is also filed. This petitioner was arrested on 16.11.2021 and he is now before this Court seeking bail.



4.The learned counsel for the petitioner would submit that petitioner has to prepare his defence and therefore, his liberty is required. However, the learned Additional Public Prosecutor submits that the mother of the victim girl is the fourth wife of the petitioner herein and taking proximity, this petitioner has sexually abused the minor girl for quite sometime and this has come to light after the girl's complaint about the act of the petitioner herein and her mother.

5.Considering, the gravity of the offence committed and the proximity of the victim girl, this Court is of the view that grant of bail to this petitioner will end up in distorting the evidence and lead to injustice to the victim girl, since the mother of the victim girl and the petitioner herein are living as husband and wife under the same roof. For the said reason, this Criminal Original Petition for bail is dismissed.

-sd/-
28/03/2022

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 SPECIAL JUDGE
FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT-
2012, VELLORE DISTRICT.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VANIYAMBADI, THIRUVALLUR DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.6624/2022

Date :28/03/2022

JPA 01/04/2022