



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.7940 of 2022

SPL.SC.NO. 177 OF 2021

(ON THE FILE OF THE LEARNED SESSIONS JUDGE, SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT AT CHENNAI)

VICKY @ VIGNESH

[PETITIONER / ACCUSED]

Vs

THE STATE BY
THE INSPECTOR OF POLICE,
G-3 KILPAUK POLICE STATION,
KILPAUK, CHENNAI.
CR NO.286/2021.

[RESPONDENTS]

NOW TRANSFERED TO:
THE INSPECTOR OF POLICE,
W-4, ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI-600 010.

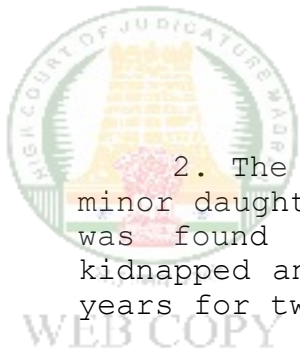
For Petitioner : M/S.P.PRINCE PREMKUMAR Advocate

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 21.07.2021 for the offences under **Sections 366 of IPC and Sec. 4 r/w 3(a) & 8 r/w 7 of the POCSO Act, 2012 and later altered into Sections 366, 342, 376(DA), 376(3) r/w 34 IPC and Section 9(n) r/w 10 of POCSO Act 2012** in Crime No.286 of 2021, on the file of the respondent police, seeks bail.



2. The case of the prosecution is that the de facto complainant's minor daughter who was working as a Caretaker went missing. Later, it was found that the petitioner along with other accused persons kidnapped and sexually assaulted the victim girl who is aged about 16 years for two days. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and he has been suffering incarceration for more than 8 months from 21.07.2021. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise strong objection stating that a minor girl has been sexually harassed by the three accused persons for 2 days and the petitioner is arrayed as A1. He would further submit that the investigation has been completed and the charge sheet has been filed and the statement of the victim girl has been recorded under Section 164 Cr.P.C. and if the petitioner is released on bail, there is every possibility of the petitioner getting abscond and the trial would be stalled.

5. Perused the statement of the victim girl recorded under Section 164 of Cr.P.C. Allegations are grave in nature.

6. On seeing the grave nature of offence as well as involvement of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-
12/04/2022

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 SESSIONS JUDGE, SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT AT
CHENNAI.

2 THE INSPECTOR OF POLICE,
G-3 KILPAUK POLICE STATION,
KILPAUK, CHENNAI.



3 THE INSPECTOR OF POLICE,
W-4, ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI-600 010.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

CC to M/S.P.PRINCE PREMKUMAR Advocate on payment of necessary
charges

CRL OP.7940/2022

Date :12/04/2022

TA-14/06/2022