



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

Thursday, the Seventh day of April Two Thousand Twenty Two

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PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.8088 of 2022

IN

SPL.C.C.NO.14 OF 2021

[On the file of the Special Court for Exclusive Trial of Cases
under POCSO Act, Chennai]

PERUMAL @ IYAMPERUMAL

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED BY
INSPECTOR OF POLICE,
W-4 ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI 600010.
(CRIME NO.12 OF 2021)

[RESPONDENT]

For Petitioner : M/S G.MANJU 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 :-

The petitioner herein who was arrested for the offence under sections 5(1), 5(M), 6, 9(1) and (m), 10, 13, 14(1), 15, 16, 17 of POCSO Act, 2021 and Section 376 A and B of IPC and Section 66-E of IT Act, 2000 in Crime No.12 of 2022, has filed this petition seeking bail.

2.The petitioner herein has sexually assaulted 7 minor girls and the two victims were subjected to the sexual assault in connivance with their own mother. Therefore, the main perpetrator of the crime and the mother of the two victims are accused in this case where the prosecution has filed the final report and same is pending before the Special Court, for POCSO Act at Chennai. The first accused is before this Court seeking anticipatory bail stating that he was arrested on 29.08.2021 and that since the investigation has been completed, he may be released on bail.



3. However, the learned Additional Public Prosecutor appearing for the respondent opposed grant of bail to the petitioner on the ground that all the victims are nearby the residence of the petitioner and the crime has been committed in connivance with the parents of the victim and therefore if bail is granted to the petitioner, there is every possibility of tampering the witnesses and the victim minor girls may not get justice.

4. On considering the fact that all the 7 victim minor girls have given Sections 164 of Cr.P.C. statement implicating the petitioner herein for alleged offence under section 5(1) read with Section 6 of POCSO Act, this Court is not inclined to grant bail in view of the fact that there is possibility of absconding by this petitioner and tampering of evidence. Hence, this Criminal Original Petition for bail is dismissed. The trial Court is directed to complete the trial as expeditiously as possible.

-sd/-
07/04/2022

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

2 THE INSPECTOR OF POLICE,
W-4 ALL WOMEN POLICE STATION,
KILPAUK, CHENNAI 600010.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZZHAL II,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S G.MANJU Advocate on payment of necessary charges

CRL OP.8088/2022

Date : 07/04/2022