



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice A.A.NAKKIRAN

CRIMINAL ORIGINAL PETITION No.10878 of 2022

K.KESAVAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION,
THIRUKOILUR KALLAKURICHI DISTRICT.
(CR.NO.8 OF 2022)

[RESPONDENT]

For Petitioner : M/S.S.S.JHOTHIVANI 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 was arrested and remanded to judicial custody on 03.04.2022 for the alleged offence punishable under Sections 366, 342, 354A, 294(b), 506(1) IPC and under Sections 4 and 18 of Protection of Child from Sexual Offences Act, 2012 in Crime No.08 of 2022 on the file of the respondent police seeks bail.

2.The case of the prosecution is that defacto complainant is the mother of the victim minor girl aged about 3½ years. The petitioner who is aged about 57 years had sexually abused the child. Hence the complaint.

3.Learned counsel appearing 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. He further submitted that the allegations levelled against the petitioner are motivated, false, frivolous and due to previous enmity. Hence prays for grant of bail.



4.Learned Government Advocate (Crl. Side) would vehemently oppose stating that the victim child is only aged about 3 ½ years. The petitioner being an old man attempted to assault the child sexually. The investigation is in preliminary stage and the custodial interrogation of the petitioner is very much required.

5.Considering the gravity of offence committed by the petitioner and the period of incarceration and also considering the fact that the investigation is in preliminary stage, this Court is not inclined to grant bail to the petitioner.

6.The Criminal Original Petition stands dismissed accordingly.

-sd/-

12/05/2022

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 STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION,
THIRUKOILUR KALLAKURICHI DISTRICT.

2 THE SUPERINTENDENT
CENTRAL PRISON, CUDDALORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.S.JHOTHIVANI Advocate on payment of necessary charges SR.No.7053

CRL OP.10878/2022

Date :12/05/2022

CSK 13/05/2022