



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.10934 of 2022

SIKANTHAR BATSHA

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED THROUGH
THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
PALLADAM, TIRUPPUR.
(CRIME NO.76/2022)

[RESPONDENT]

For Petitioner : M/S. M.MAHARAJA 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 06.03.2022 for the offences punishable under Sections 366 & 366(A) of IPC and Section 7 r/w 8 of POCSO Act in Crime No.76 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's minor daughter aged about 15 years, was found missing on 04.03.2022 and based on the complaint lodged by the defacto complainant, initially the case was registered for girl missing. During enquiry, it was found that the petitioner(A2) along with A1 & A3 had kidnapped the defacto complainant's daughter. Hence, the complaint has been filed.

3. Learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner has been suffering incarceration from 06.03.2022. Hence, he prays for grant of bail to the petitioner.



4. Learned Government Advocate (Crl. Side) appearing for the respondent police raised objection for granting bail to the petitioner stating that the petitioner(A2) along with two others had kidnapped the victim minor girl. He further submit that A1 and A3 are still absconding and the statement of the victim girl has been recorded under section 164 Cr.P.C and that the investigation is at the preliminary stage.

5. Considering the gravity of offence and the fact that A1 & A3 are still absconding, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition stands dismissed.

-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 INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
PALLADAM, TIRUPPUR.

2 THE SUPERINTENDENT
CENTRAL PRISON, COIMBATORE.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.10934/2022

Date :12/05/2022

CSK 17/05/2022