



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.10940 of 2022

SUDHAKAR @ ARUL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GINGEE,
VILLUPURAM DISTRICT
(CRIME NO.10/2022)

[RESPONDENT]

For Petitioner : M/S R.BABU Advocate

For Respondent : M/S.L.BASKARAN, Government 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 23.02.2022 for the offences punishable under Sections 342, 506(i) of IPC and under Section 6 of POCSO Act, 2012 in Crime No.10 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is married man, who is aged about 26 years had committed the offence of Sexual Penetration many times against the willingness of the victim, knowing the fact that she is a minor. Thereby, the defacto complainant who is the aunt of the victim had lodged a complaint before the respondent police against the petitioner. Hence, the present petition has filed.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent and there is no specific overtact against the petitioner and he has been falsely implicated in this case. He



would further submit that the petitioner has been suffering incarceration from 23.02.2022. 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 had committed penetrative sexual assault on the victim girl, who is aged about 14 years at the time of occurrence. He further submit that the petitioner is a married man and he is having one child. He would submit that the statement of the minor girl under section 164 of Cr.P.C has been recorded.

5. Considering the age of the victim girl and considering the fact that the petitioner who is a married man committed penetrative sexual assault on the victim girl and also considering the section 164 statement of the minor girl, 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 WOMEN POLICE STATION,
GINGEE, VILLUPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE OFFICER INCHARGE,
SUB JAIL, VEDAMPATTU,
VILLUPURAM DISTRICT.

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

CRL OP.10940/2022

Date :12/05/2022

RW 17/05/2022