



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Sixth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11088 of 2022

VASIM @ MAHBOOB BASHA

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
VELLORE, VELLORE DISTRICT.  
(CRIME NO.12/2022)

[ RESPONDENT ]

For Petitioner : M/S. C.S.SARAVANAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

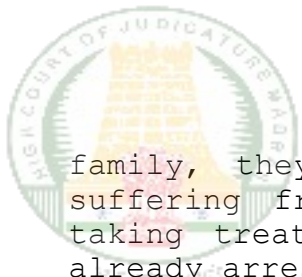
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who was arrested and remanded to judicial custody on 01.04.2022 for the offence punishable under Sections 109, 376, 506(i) of IPC and Section 6, 5(1) and 17 of Protection of Children from Sexual Offences (POCSO) Act 2012 in Crime No.12 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had committed aggravated penetrative sexual assault on the victim girl aged about 17 years and further threatened her that if she disclose the same, he would upload her photos in the social media. Hence the complaint.

3. The learned counsel for the petitioner would submit that this is a false case foisted against the petitioner and has not committed any offence as alleged and he is no way connected with the alleged offence. Further, he would submit that the defacto complainant's daughter has love affair with the petitioner and due to previous enmity between the defacto complainant's parents and the petitioner's



family, they have given a false complaint and the petitioner is suffering from erectile dysfunction for the past three years and taking treatment. He also submitted that the co-accused A2 was already arrested and released on bail.

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3. The learned Additional Public Prosecutor would submit that there are totally two accused involved in this case. The petitioner is arrayed as A1. A2 was already arrested and released on bail. He further submitted that it is not a love affair between the petitioner and the victim girl.

4. On perusal of the statement recorded under Section 164 of Cr.P.C revealed that there was no love affair between the petitioner and the minor victim girl. On compulsion of A2, she was taken to the petitioner where she was directed to remove her dress and the first accused has committed rape on the minor victim girl.

5. Considering the nature of the allegation against the petitioner, the submissions made on either side and that in view of the serious offence committed by the petitioner as against the minor victim girl, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

-sd/-  
06/06/2022

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,  
VELLORE, VELLORE DISTRICT.

2 THE SUPERINTENDENT,  
CENTRAL PRISON, VELLORE.



3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.11088/2022

Date :06/06/2022

CSK 10/06/2022