



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.11523 of 2022

MANNANGATTI @ VENGADESAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION,
GINGEE, VILLUPURAM DISTRICT.
CRIME NO.2/2022.

[RESPONDENT]

For Petitioner : M/S M.SELVAM 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/2nd accused, who was arrested and remanded to judicial custody on 09.01.2022 for the offence punishable under Sections 5 (I), 5(j) (ii), 6, 16, 17, 19, 21(1) of POCSO Act in Crime No.2 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's sister have two daughters viz., Santhiya and Sowndurya. After demise of her sister, the defacto complainant had taken care of them. On 05.01.2022, the said Sowndurya along with the defacto complainant went to GH, Villupuram, to take treatment. At that time, it is found that the said victim girl was 5 months pregnant. After enquiry, the petitioner and other accused persons done penetrative sexual assault with the victim girl. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. The petitioner is aged about 77 years and he has been falsely implicated in this case. That apart, the petitioner was arrested and remanded to judicial custody on 09.01.2022.



4. The learned Additional Public prosecutor would submit that there are totally 9 accused involved in this case. The petitioner is arrayed as A2.

5. A perusal of the statement recorded under Section 164 reveals that the petitioner and other accused have committed penetrative sexual assault on the minor victim girl, aged about 16 years. Further it reveals that all the accused persons have committed rape on the minor victim girl on compulsion and also threatened her not to disclose to anybody and they also threatened her by using the photos which were taken during sexual assault and threatened her if she disclose the same to anybody it will be published in the social media. Therefore, the petitioner along with other accused have committed a very serious offence as against 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.

6. 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 STATION HOUSE OFFICER,
ALL WOMEN POLICE STATION, GINGEE,
VILLUPURAM DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

+1 CC to M/S M.SELVAM Advocate on payment of necessary charges
SR.NO.8740

CRL OP.11523/2022
Date :06/06/2022

TA-22/06/2022