



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.11645 of 2022

KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
W-8, ALL WOMEN POLICE STATION,
THIRUMANGALAM,
ANNA NAGAR, CHENNAI.
(CRIME NO.8/2022)

For Petitioner : MR.LEELESH, Advocate for
M/S.NATHAN AND ASSOCIATES 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/accused, who was arrested and remanded to judicial custody on 27.02.2022 for the offence punishable under Sections 366, 506(ii) of IPC r/w Section 6 of POCSO Act, 2012 in Crime No.8 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant, the father of the victim child, gave the complaint as his minor daughter aged 6 years was subjected to sexual assault by the petitioner/accused. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is the house owner of the defacto complainant. There was a quarrel between the petitioner and the defacto complainant, in the result of which, the petitioner asked the defacto complainant to vacate the tenant premises. In consequence, the petitioner come forward with this false complaint against the petitioner. He further submitted that the petitioner has not committed any offence as



alleged by the prosecution and he has been falsely implicated in this case. That apart, the petitioner was arrested and remanded to judicial custody on 27.02.2022. Hence, he prays for grant of bail to the petitioner.

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4. The learned Additional Public Prosecutor would submit that the accused is neighbour of the victim child. The victim child was taken by the petitioner and sexually assaulted by him. Hence, he vehemently opposed for grant of bail to the petitioner.

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 child, 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 INSPECTOR OF POLICE,
W-8, ALL WOMEN POLICE STATION,
THIRUMANGALAM, ANNA NAGAR, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S.NATHAN AND ASSOCIATES Advocate on payment of
necessary charges SR.NO.8491

CRL OP.11645/2022

Date :06/06/2022

TA-22/06/2022