



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V.KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.12429 of 2022

RIYAS

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
THIRUPUR.
(CRIME NO.6/2022)

[RESPONDENT]

For Petitioner : M/S. K.GAJENDIRAN Advocate

For Respondent : MR.E.RAJ THILAK Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/accused who was arrested on 03.05.2022 for the alleged offences punishable under Sections 5[i], 5[j][ii] read with 6 of POCSO Ac, 2012, in Crime No.6 of 2022 on the file of the respondent police, seeks bail.

2.The petitioner is aged 23 years and is already married. The victim girl is aged 17 ½ years. The petitioner had relationship with her and owing to which she also conceived and later the foetus was aborted.

3.The learned Additional Public Prosecutor states that DNA Report is awaited. The learned counsel for the petitioner claims that the entire issue of abortion is not correct.

4.That is the issue of trial and during trial, that particular fact can be examined and whether it has been proved or not proved by the prosecution. At this stage, seeking bail, particularly when the petitioner is already married and had relationship with yet another minor child, cannot be a basis for grant of bail.



5.Hence, the petition is dismissed.

-sd/-

01/06/2022

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,
THIRUPUR.

2 THE OFFICER INCHARGE,
SUB JAIL, THIRUPUR.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. K.GAJENDIRAN Advocate on payment of necessary
charges SR.No.8246

CRL OP.12429/2022

Date :01/06/2022

CSK 01/06/2022