



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.13004 of 2022

SANTHOSH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
KODAVASAL POLICE STATION,
THIRUVARUR DISTRICT.
(CRIME NO.225/2022)

[RESPONDENT]

For Petitioner : D.PRABU Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

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 20.04.2022 at the hands of the respondent police for the offences punishable under Section 324 of IPC and Sections 5(1) and 6 of Protection of Children from Sexual Offence Act, 2012, in Crime No.225 of 2022, seeks bail.

2. The case of the prosecution is that on the pretext of marriage, the petitioner kidnapped the victim girl who is aged about 15 years and had penetrative sexual assault on the victim girl. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 20.04.2022. The petitioner has nothing to do with the allegation as alleged by the prosecution. The petitioner had fell in love with the victim girl and as such a false complaint has been foisted as against the petitioner. Hence, he sought for bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner on the pretext of marriage, had committed sexual assault on the minor victim girl. He had also produced the statement recorded under Section 164 Cr.P.C. A perusal of the statement revealed that the petitioner on the pretext of marriage had committed aggravated penetrative sexual assault on the victim girl. That apart, he had also tied the victim girl with rope and threatened the victim girl with dire consequences. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration of the above facts and circumstances of the case, since the petitioner has committed very serious and heinous offence as against the 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 INSPECTOR OF POLICE,
KODAVASAL POLICE STATION,
THIRUVARUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT
DISTRICT PRISON, NAGAPATTINAM.

+1 CC to D.PRABU Advocate on payment of necessary charges
SR.NO. 8486

CRL OP.13004/2022

Date :06/06/2022

RW-09/06/2022