



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13446 of 2022

SIVA @ SIVAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
INDOOR POLICE STATION,
DHARMAPURI DISTRICT
(CRIME NO.52 OF 2022)

[RESPONDENT]

For Petitioner : M/S J.BHARATHI RAJA 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, who was arrested and remanded to judicial custody on 29.03.2022 at the hands of the respondent police for the offences punishable under Section 366 of IPC and 6 r/w 5(1) of POCSO Act, in Crime No.52 of 2022, seeks bail.

2. The case of the prosecution is that on 24.03.2022, the daughter of the de facto complainant aged about 14 years, who had gone for purchasing a note book had not returned home. Later, on 25.03.2022 at about 6.00 p.m., the de facto complainant received a call from her daughter stating that she would be returning home soon and then her mobile phone was switched off. Hence the complaint.

3. The learned Additional Public Prosecutor produced the statement of the victim girl recorded under Section 164 of Cr.P.C.



4. According to the statement recorded under Section 164 Cr.P.C. of the victim girl, it reveals that the victim girl aged about 14 years fell in love with the petitioner. On the pretext of marriage, the petitioner kidnapped the victim girl to various places and stayed together. They also had physical relationship and thereafter, on the complaint lodged by the victim girl's family members the First Information Report has been registered.

5. Considering the fact that the petitioner herein had committed a very serious offence of sexual assault on the victim girl aged about 14 years, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition is dismissed.

-sd/-
10/06/2022

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,
INDOOR POLICE STATION,
DHARMAPURI DISTRICT

2 THE OFFICER INCHARGE
DISTRICT JAIL, DHARMAPURI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S J.BHARATHI RAJA Advocate on payment of necessary charges SR.NO.8810

CRL OP.13446/2022

Date :10/06/2022

JPA 16/06/2022