



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13419 of 2022

EJAS @ AEJAZ AHMED

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
AMBUR, VELLORE DISTRICT.
CR.NO.2 OF 2020.

[RESPONDENT]

For Petitioner : M/S. C.PRABAKARAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor,

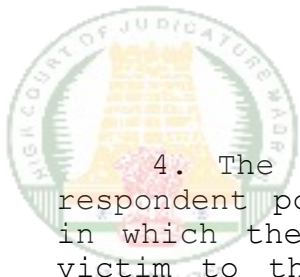
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 29.04.2022 for the offences punishable under Sections 3(1), 4(2)(b), 5(1)(a) of ITP Act, r/w section 366-A of IPC and Section 3(a), 17 of POCSO Act, 2012 in crime No.2 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant had lodged the complaint with the allegation that she is aged about 22 years and she has been used in prostitution by three persons and thereafter, her life was in peril. Hence, the case.

3. The learned counsel for the petitioner would submit that at the time of occurrence, the victim was not a minor, as such offence under POCSO Act would not attract. In fact, the defacto complainant was taking treatment due to her mental illness. Other co-accused were arrested and released on bail. As far as the petitioner, he has nothing to do with the occurrence as alleged by the prosecution. Hence, he prays for grant of bail to this petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that there are totally four accused, in which the petitioner is arrayed as A3. A1 actually brought the victim to the house and compelled her to involve in brothel. The petitioner also indulged the victim in the prostitution when the victim was aged about 17 years. The statement recorded under Section 164 of Cr.P.C. was also produced.

5. On perusal of the statement recorded under Section 164 of Cr.P.C., revealed that initially the victim was working in a beauty parlour. The other accused assured that she would be given employment in a beauty parlour and taken her utilizing her circumstances, since there was circumstances for the victim to go with the first accused to work in a beauty parlour. Thereafter, she was compelled to involve in prostitution and she was given torture. When she refused to do the activities as directed by the other accused persons, she was beaten and compelled her to involve in prostitution business. However, she escaped from the prostitution house and lodged complaint. Therefore, the petitioner and other accused persons committed very serious and heinous offence as against the minor girl.

6. Therefore, this Court is not inclined to grant bail to the petitioner. Accordingly, this criminal original petition is dismissed.

-sd/-

14/06/2022

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,
MBUR, VELLORE DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

CC to M/S. C.PRABAKARAN Advocate on payment of necessary charges

CRL OP.13419/2022

Date :14/06/2022

TA-22/06/2022