



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.13660 of 2022

SURYA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VANDAVASI, TIRUVANNAMALAI DISTRICT.
(CR.NO.3/2020)

[RESPONDENT]

For Petitioner : M/S. R.CHANDRASEKARAN 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 26.07.2022 for the offences punishable under Sections 363, 366, 366(A), 376(DA) of IPC and Sections 5(g) and 6 of the POCSO Act in Spl.SC.No.102 of 2020 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvannamalai in respect of crime No.3 of 2020 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there are totally three accused and they committed gang rape on the minor victim aged about 14 years. When the victim asked for Rs.3,000/- from her brother's friend to celebrate birthday function of one friend, the accused induced the victim to come with him to get money. Believing the said words, the victim went with the first accused and she was brought to the scene of occurrence. The other accused persons were present there and all the accused persons have committed gang rape. Hence, the case.



3. The learned counsel for the petitioner would submit that there are totally three accused and the petitioner is only a friend of A1 and he has nothing to do with the allegation as alleged by the prosecution. He would further submit that on filing charge sheet, the case was taken cognizance by the Special Court, wherein PW1 to 3 were already examined and also marked exhibits 1 to 4. Hence, he prays for grant of bail to this petitioner.

4. The Additional Public Prosecutor appearing for the respondent police would submit that now the charge sheet has been laid and the trial court has taken cognizance in Spl.SC.No.102 of 2020 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Tiruvannamalai.

5. It is a gang rape and now the trial has been commenced and the prosecution have examined PW1 to PW3. Since the petitioner has committed very serious and heinous offence as against the minor girl, 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 SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
TIRUVANNAMALAI.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VANDAVASI, TIRUVANNAMALAI DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. R.CHANDRASEKARAN Advocate on payment of necessary
charges SR.No.9208

CRL OP.13660/2022

Date :14/06/2022

CSK 24/06/2022