



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Seventeenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.14040 of 2022

SURESH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
W-21 ALL WOMEN POLICE STATION,
GUINDY, CHENNAI-32
(CRIME NO.115/2022)

[RESPONDENT]

For Petitioner : M/S.J.WILLIAM SHAKESPHERE 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 01.02.2022 for the offence under Section Girl Missing @ 366 of IPC and Section 6 of POCSO Act, 2012, in Crime No.115 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the victim girl and the petitioner's daughter are friends and when the victim girl went the petitioner's house for attending on-line classes, the petitioner had sexually assaulted the victim girl, aged about 17 years, under the guise of marriage. It is further alleged that the petitioner kidnapped the victim girl and committed penetrative sexual assault repeatedly. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner and the victim girl are loved each other and the petitioner has not committed any offence as alleged by the prosecution. Even according to the case of the prosecution, the occurrence took place on 27.01.2022, whereas the complaint has been lodged belatedly by the victim's father. He further submitted that the investigation is completed and final report already laid as against the petitioner. The petitioner was arrested and remanded to judicial custody on 01.02.2022. Hence he prayed to grant bail to the petitioner.



4. The learned Additional Public Prosecutor the petitioner's daughter and the victim girl are friends and due to covid pandemic situation, the victim used to go the petitioner's home for attending on-line cases. Utilizing the said situation, the petitioner cheated the minor victim girl by giving sugar quoted words and had sexual assault on the victim girl. Thereafter the petitioner also kidnapped the victim girl and had sexual intercourse with her on several occasions. On the complaint lodged by the victim's father, the petitioner was arrested and remanded to judicial custody. Hence, he vehemently opposed to grant of bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that the petitioner has committed very heinous offence as against the minor victim girl and hence, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the Criminal Original Petition stands dismissed.

-sd/-

17/06/2022

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 SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

2 INSPECTOR OF POLICE,
W-21 ALL WOMEN POLICE STATION,
GUINDY, CHENNAI-32

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.J.WILLIAM SHAKESPEARE Advocate on payment of
necessary charges

CRL OP.14040/2022

Date :17/06/2022

RVR 24/06/2022