



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14189 of 2022

K.DHAMODHARAN

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
MALAYAMPALAYAM POLICE STATION,
ERODE DISTRICT.
CRIME NO.66 OF 2022.

[RESPONDENT]

For Petitioner : M/S.M.GURUPRASAD 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/sole accused, who was arrested and remanded to judicial custody on 11.05.2022 for the offences punishable under Sections 5(1), 5(j) (ii) and 6 of Protection of Children from Sexual Offences Act, 2012 (POCSO) in crime No.66 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's daughter was studying 12th standard in Government Higher Secondary School, Pasur. While being so, on 12.12.2021, on the pretext of marriage, the petitioner had sexual intercourse with her, due to which she became pregnant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that both the petitioner and the victim girl are residents of the same village and apart from that, there is no relationship between them. However, the false complaint has been registered against the petitioner. Hence, he prays for grant of bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner, on the pretext of marriage, had sexual intercourse with the victim girl aged about 17 years, by which she became pregnant. Thereafter, he refused to marry her. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of the records, revealed that the victim girl is aged about 17 years and on the pretext of marriage, the petitioner had sexual intercourse with her. Therefore, she got pregnant and on compulsion by the petitioner, the pregnancy was aborted. Thereafter, the petitioner refused to marry her. Therefore, the petitioner has committed very serious and heinous offence as against the minor victim girl and this Court is not inclined to grant bail to the petitioner.

6. Accordingly, the criminal original petition is dismissed.

-sd/-
22/06/2022

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
MALAYAMPALAYAM POLICE STATION,
ERODE DISTRICT.

2 THE OFFICER INCHARGE
SUB JAIL, ERODE

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.GURUPRASAD Advocate on payment of necessary charges SR.NO.9777

CRL OP.14189/2022

Date :22/06/2022

JPA 24/06/2022