

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14258 of 2022

SPL.S.C.No.2 of 2021

(On the file of the Special Court of Exclusive Trial of Cases under
POCSO Act, Villupuram)

ARUL MURUGAN @ ARULRAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
STATION HOUSE OFFICER,
AWPS THIRUKOILUR POLICE STATION,
VILLUPURAM
(CRIME NO.3 OF 2020)

[RESPONDENT]

For Petitioner : M/S G.SARAVANABHAVAN Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 5(j)(ii), 5(k) and 6 of POCSO Act, 2012, in Crime No.3 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein is the neighbour of the victim girl and taking care of her. He is alleged to have sexually assaulted the victim girl, who aged about 17 years, due to which, the victim got pregnant. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. He further submitted that the petitioner was granted interim bail by the Special Court of Exclusive Trial of Cases under POCSO Act, Villupuram, however he failed to

appear before the Court due to the fact that his family members were affected by Covid-19. Hence he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner had committed penetrative sexual assault on the victim girl, who is mentally a disordered person, aged about 17 years. Due to which, the victim girl got pregnant, which is a heinous offence. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Insofar as the petitioner is concerned, he had committed penetrative sexual assault on the victim girl, who is deaf and dumb, which is of serious and heinous offence, therefore, custodial interrogation of the petitioner is very much required in this case. Hence, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

29/06/2022

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 OF EXCLUSIVE
TRIAL OF CASES UNDER POCSO ACT,
VILLUPURAM

2 THE STATION HOUSE OFFICER,
AWPS THIRUKOILUR POLICE STATION,
VILLUPURAM

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S G.SARAVANABHAVAN Advocate on payment of necessary
charges

CRL OP.14258/2022

Date :29/06/2022

JPA 14/07/2022