



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.15022 of 2022

JAGAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
W-16 ALL WOMEN POLICE STATION,
PULIANTHOPE,
CHENNAI
CRIME NO.16 OF 2021.

[RESPONDENT]

For Petitioner : M/S.D.GOPIKRISHNAN 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 24.05.2022 for the offences punishable under Sections 3(a) r/w 4 of POCSO Act in crime No.16 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant's second daughter aged about 17 years discontinued her studies and developed friendship with the petitioner, who is well acquainted with her family. He used to drop her in the textile shop where she was working. While being so, on 20.11.2021 at about 9.00 a.m., the victim girl called and asked the petitioner to drop her in the shop. On knowing the situation that the defacto complainant and her husband were not in home, the petitioner had physically assaulted the victim, by which she sustained injuries on her private parts. Hence, the case.

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. Hence, he prays for grant of bail to the petitioner.



4. The Additional Public Prosecutor appearing for the respondent police would submit that the petitioner who is already a married man and has two children, had penetrative sexual assault on the victim girl aged about 17 years. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of the statement recorded under Section 164 of Cr.P.C., revealed that the petitioner is already married and gave birth to two children. While being so, the petitioner expressed his love affair with the victim girl aged about 17 years and on the pretext of marriage, he also had penetrative sexual assault on the minor victim girl.

6. 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. 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 INSPECTOR OF POLICE,
W-16 ALL WOMEN POLICE STATION,
PULIANTHOPE, CHENNAI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.GOPIKRISHNAN Advocate on payment of necessary charges

CRL OP.15022/2022

Date :29/06/2022

JPA 04/07/2022