



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.14963 of 2022

MARIBINSHIREEL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
TIRUVANNAMALAI ALL WOMEN POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CRIME NO.15 OF 2022.

[RESPONDENT]

For Petitioner : M/S. S.SEENUVASAN 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 27.04.2022 for the offences punishable under Sections 376 (3), 376(2)(n), 506(i) of IPC r/w Sections 5(1) and 6 of POCSO Act, 2012 in crime No.15 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on the date of occurrence, when the victim's parents were not at home, the first accused forcibly had intercourse with the victim girl and A2 also threatened and sexually assaulted her. 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. He would further submit that after the occurrence, the complaint has been lodged after six months and it is a love affair



between the petitioner and the victim girl and the petitioner never involved in any crime as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The Additional Public Prosecutor appearing for the respondent police would submit that there are totally two accused and the victim girl's age is 13 years. A1 is a neighbor and A2 is a relative of the victim girl. On the date of occurrence, her parents were not at home, at that time the first accused forcibly had intercourse with the victim girl and A2 also sexually assaulted by threatening her. Hence, he vehemently opposed to grant bail to the petitioner.

5. On perusal of the statement recorded under Section 164 of Cr.P.C. produced by the the learned Additional Public Prosecutor revealed that the petitioner compelled the victim girl to love him and thereafter he compelled and had physical relationship. He also threatened her on another occasion and had physical relationship. The victim girl is aged about 13 years and the petitioner had committed very serious and heinous offence as against the minor victim girl.

6. Therefore, 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 SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.14963/2022

Date :29/06/2022

RW-07/07/2022