



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

Friday, the First day of July Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.15135 of 2022

VASANTH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
AMMAPET, SALEM,
CR.NO.61 OF 2021.

[RESPONDENT]

For Petitioner : M/S.S.MADHUSUDANAN Advocate

For Respondent : MR.A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

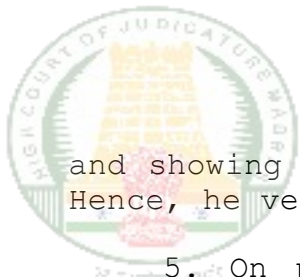
ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested and remanded to judicial custody on 18.04.2022 for the offences punishable under Section 328 of IPC and Section 5(1) r/w 6 of POCSO Act in crime No.61 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner gave a cool drink with anesthesias drug and had sexual intercourse with the daughter of the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is none other than the brother in law of the victim. He had love affair with the victim and had physical relationship. Thereafter, the victim joined in the college and had love affair with another boy. Therefore, the petitioner was insisted for marriage with her, for which the petitioner refused. Therefore, the false complaint has been foisted as against the petitioner. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that petitioner is the brother in law of the victim girl. When she was alone, the petitioner gave drug in a cool drink and had sexual intercourse with the victim. Thereafter, he took her nude pictures



and showing the same threatened her and also had sexual intercourse. 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 learned Additional Public Prosecutor, revealed that the victim is aged about 17 years and the petitioner is none other than her sister's husband's brother. He supplied maaza when the victim coming out of school. After she fell unconscious, the petitioner had penetrative sexual assault on her. Thereafter he also took nude photographs of the victim and on showing the said photographs, he had physical relationship several times. He also took her into Yercaud and had physical relationship and also threatened her stating that if she discloses to anybody, he will post the nude pictures on the social media. 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/-

01/07/2022

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, SALEM

2 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
AMMAPET, SALEM.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15135/2022

Date :01/07/2022

RVR 07/07/2022