

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

Wednesday, the Sixth day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.15513 of 2022

GANDHI [PETITIONER / ACCUSED]

Vs

THE STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GENGEE, VILLUPURAM DISTRICT.
CR.NO.18/2022

For Petitioner : M/S. B.BALAVIJAYAN 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 06.05.2022 for the offences punishable under Sections 366, 506(ii) of Indian Penal Code read with Section 5(1),(j) read with Section 6 of POCSO Act, 2012 in Crime No. 18 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the age of the victim is 16 years and the age of the petitioner is 37 years. It is alleged that the petitioner kidnapped the victim and committed penetrative sexual assault against the willingness of the victim girl and also caused criminal intimidation that not to disclose it to anybody. Thereafter, the victim girl became pregnant.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offence as alleged by the prosecution. He further submits that, he has been suffering incarceration from 06.05.2022. Hence, he sought for bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that petitioner who is a married person had committed penetrative sexual assault on the victim minor girl on several occasions and now the

victim girl is 7 months pregnant. Hence, he vehemently opposed for granting bail to the petitioner.

5. Considering the gravity of offence committed by the petitioner which is heinous in nature, this Court is not inclined to grant bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

-sd/-

06/07/2022

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 OFFICER INCHARGE,
SUB JAIL, VEDAMPATTU

2 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GENGEE, VILLUPURAM DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15513/2022

Date :06/07/2022

RVR 15/07/2022