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CRL O.P. No.25026 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.10.2024

CORAM

The Hon'ble Mr.Justice P.DHANABAL

CRL OP.No.25026 of 2024

Sarathkumar S/o. Saravanan ... Petitioner / Accused
Vs

State rep. by:-

The Inspector of Police,
All Women Police Station,
Tindivanam, Villupuram District. ... Respondent
[Cr. No.20 of 2024]

PRAYER: - The Criminal Original Petition is filed under Section 483 of
B.N.S.S., praying to grant bail to the petitioner/Accused in Cr. No.20 of
2024 on the file of the respondent police.

For Petitioner : Mr. U. Kathiravan

For Respondent : Mr.S. Vinoth Kumar
Government Advocate [Criminal side]

ORDER

The petitioner / Accused, who was arrested and remanded to
judicial custody on 10.09.2024 for the offences punishable under
Sections 5(l), 5(j)(ii), 6 of POCSO Act, 2012 and Sections 506(ii) and



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313 of IPC and Section 67(B) of IT Act in Cr. No.20 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the accused had committed penetrative sexual assault on the victim and made her pregnant and forced her to abort the baby. Hence the case.

3. The learned counsel for the petitioner would contend that the petitioner has been falsely implicated in this case, that he was arrested and remanded to judicial custody on 10.09.2024 for the offences punishable under Sections 5(l), 5(j)(ii), 6 of POCSO Act, 2012 and Sections 506(ii) and 313 of IPC and Section 67(B) of IT Act. In fact, this petitioner has not committed any offence as alleged by the prosecution, that he is an innocent and false case has been registered against him without any materials. Hence, he prayed that the petitioner may be released on bail.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner and the victim were in love affair and he has committed penetrative sexual assault on the victim and made her



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pregnant and forced her to abort the baby this petitioner has recorded the video call communications and obscene photos of the victim and shared to others and also shown the same to the mother of the victim. The obscene photos and mobile phones were recovered. Investigation is at initial stage and hence he strongly opposed to grant bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the grave nature of offences and considering the fact that the investigation is at initial stage, I am declined to grant bail to the petitioner at this stage.

7. Accordingly, the criminal original petition is dismissed.

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index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order

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To

- 1.The Special Court for exclusive trial of cases under POCSO Act, Villupuram.
- 2.The Public Prosecutor, Madras High Court, Chennai.
- 3.The Inspector of Police, All Women Police Station, Tindivanam, Villupuram District.
4. The District Jail, Villupuram.

P.DHANABAL,J

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