



CRL O.P. No.1878 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL O.P. No.1878 of 2025

Faheem Ur Rahman

... Petitioner / Accused

Versus

State Represented By,
The Inspector of Police,
W-5, AWPS, Vepery Police Station,
Vepery, Chennai – 600 007.
(Crime No.07 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S., praying to enlarge the petitioner on bail pending investigation in Crime No.07 of 2024 on the file of the respondent police.

For Petitioner : Mr. N.S. Sivakumar.

For Respondent : Mr. Leonard Arul Joseph Selvam,
Government Advocate (Crl. Side).

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 19.10.2024,



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seeking bail in Crime No.07 of 2024 registered for the offence under Sections 9(l), 9(n), 10, 5(l), 5(n) & 6 of the POCSO Act, 2012.

2.The case of the prosecution is that the petitioner is the father of the victim girl aged about 17 years; that he had committed penetrative sexual assault on various dates by penetration of his private part into the private part and in the mouth of the victim and thus committed the aforesaid offences.

3. Learned counsel for the petitioner submitted that the petitioner is innocent person and has been falsely implicated in this case; that the victim has been tutored by his wife as he had matrimonial differences with his wife; that there are improvements in the statement of the victim recorded under Section 164 of Cr.P.C; that the petitioner is in custody from 19.10.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court and since further custody is not required, the petitioner may be released on bail.



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4. Learned Government Advocate (Crl.Side) reiterated the case of the prosecution and also produced the copy of the statement of the victim and submitted that the charge sheet has been filed and the trial is yet to commence.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6.This Court had perused the Section 164 Cr.P.C. statement of the victim and other records. The victim is yet to be examined in Court. Considering the nature of allegations; the relationship between the petitioner and the victim and the statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, this Criminal Original Petition is dismissed.

24.02.2025



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SUNDER MOHAN. J,

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To

1.The Public Prosecutor,
High Court of Madras,
Chennai.

2.The Inspector of Police,
W-5, AWPS, Vepery Police Station,
Vepery, Chennai – 600 007.

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