



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twentieth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21710 of 2015

BULLOT PANDI

... PETITIONER/ ACCUSED NO.3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
VIRUDHUNAGAR,VIRUDHUNAGAR DISTRICT.
(CR.NO. 29/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.G.MARIMUTHU Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

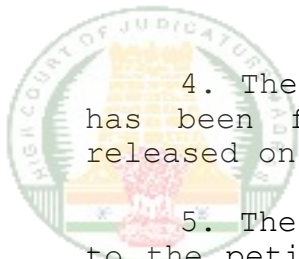
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as 3rd accused, in Crime No.29 of 2015 on the file of the respondent police, arrested and remanded to judicial custody on 06.10.2015 for the alleged offence punishable under Sections 366(A), 342, 354(b), 376(i), 506(ii) of I.P.C and Section 5(g), 5(w) r/w Section 6 of POCSO Act., seeks bail.

2. The case of the prosecution is that the defacto complainant is the mother of the victim girl Divya. The victim girl is a minor, aged about 14 years. The accused 1 to 5, who are neighbours to the victim forcibly have sexual relationship with her and criminally intimidated her before 06.10.2015 on many times and only on 06.10.2015, she whispered about the incident to her mother and on that basis, the mother of the victim had given a complaint to the respondent Police and the same has been registered in Cr.No.29 of 2015 for the offence punishable under Sections 366(A), 342, 354(b), 376(i), 506(ii) of I.P.C and Section 5(g), 5(w) r/w Section 6 of POCSO Act.

3. The case of the petitioner is that there is no specific date and place of occurrence mentioned in the First Information Report and all the allegations are general in nature against all the accused. The accused Nos.1, 2 and 5 are juveniles and they were arrested and enlarged on bail by the Juvenile Justice Board, Virudhunagar District. The



4. The further case of the petitioner is that he is innocent and he has been falsely implicated in this case and if the petitioner is released on bail, he will not tamper with the witnesses.

5. The learned Government Advocate (Crl.side) objected to grant bail to the petitioner and stated that if the petitioner is released on bail, the petitioner would definitely tamper with the witnesses. She further submitted that since the victim girl is aged about 14 years, the petitioner criminally intimidated her many times and threatened with dire consequences.

6. Considering the gravity of the offence and also considering the fact that investigation is in initial stage and the serious objection raised by the learned Government Advocate (Crl.Side), this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this petition for bail is dismissed.

sd/-

20/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
- 2 THE OFFICER INCHARGE, BOARSTAL SCHOOL, MELUR.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.21710 of 2015

Date :20/11/2015

NS/NGM/SAR I/25.11.2015 : 2P/4C