



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

Wednesday, the Twenty Ninth day of April Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.8412 of 2015

ESAKKY

... PETITIONER/ACCUSED NO.1

Vs

THE SUB INSPECTOR OF POLICE
KADAYAM POLICE STATION,
TIRUNELVELI DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SUKUMAR Advocate

For Respondent : MR.K.V.RAJARAJAN, 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 A1 in Crime No.60 of 2015 on the file of the respondent police, was surrendered before the respondent police and remanded to judicial custody on 05.03.2015 for the alleged offences punishable under Sections 366(A), 341, 294(b) and 506(ii) of IPC r/w. Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 4 of Protection of Children from Sexual Offence Act, 2012, seeks bail.

2. The case of the prosecution is that the petitioner has sexually misbehaved with the daughter of the de facto complainant, who is 9 years old.

3. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl. side) appearing for the respondent.

4. The learned counsel for the petitioner submitted that the petitioner has been judicial custody from 05.03.2015 and the investigation is over and the 2nd accused were also arrested and released on bail.

5. The learned Government Advocate (Crl. Side) vehemently opposed to grant bail to the petitioner.

6. Considering the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Hence, the Criminal Original Petition is dismissed.

sd/-

29/04/2015

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TO

1. THE SUB INSPECTOR OF POLICE
KADAYAM POLICE STATION, TIRUNELVELI DISTRICT.
2. THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SUKUMAR Advocate SR.No. 24050

SR/SJW : 11.05.2015 : 2P/5C

ORDER
IN
CRL OP(MD) No.8412 of 2015
Date :29/04/2015