



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

Thursday, the Fifteenth day of March Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.4105 of 2018

DURAIRAJ

... PETITIONER/3rd ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
THOGAMALAI POLICE STATION,
KARUR DISTRICT
(CRIME NO.35 OF 2018)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.SIVALINGAM Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
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 accused no.3, was arrested and remanded to judicial custody on 03.02.2018 for the offences punishable under Section 366(A) IPC and Section 12 of POCSO Act, 2012, in Crime No.35 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and other accused are said to have kidnapped the victim girl, aged about 14 years and committed the offence of rape on her. Hence, the *defacto* complainant has lodged a complaint as against the petitioners.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is in judicial custody from 03.02.2018.

4.The learned Government Advocate (Criminal Side) appearing for the State submitted that the victim girl is secured and the investigation of the case is under progress.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The submissions made by the learned counsel appearing on



either side are considered.

6. It is alleged, during the time of occurrence, the petitioner and other three accused kidnapped the victim girl, who is aged about 14 years and committed the offence of rape on her. Thereby, a case has been registered against the petitioner. Even though the victim girl is secured, considering the gravity of offence committed by the petitioner, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
15/03/2018

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

TO

- 1 THE INSPECTOR OF POLICE
THOGAMALAI POLICE STATION, KARUR DISTRICT
- 2 THE OFFICER INCHARGE
SUB JAIL, KULITHALAI
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

ORDER
IN
CRL OP(MD) No.4105 of 2018
Date :15/03/2018

SMA/RR-CSL/SAR-1/21.03.2018:2P/4c