



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.10.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

Cr1.A.(MD) No.458 of 2018

Tamilarasan

... Appellant

Vs.

State through:-

1. The Deputy Superintendent of Police,
Pudukkottai Sub Division,
Pudukkottai Distrcit.
2. The Inspector of Police,
All Women Police Station,
Pudukkottai District.
In Cr.No.7 of 2018.

3. Jeyashree

... Respondents

PRAYER: Criminal Appeal - filed under Section 14 A (2) of SC/ST Act, to call for the records relating to the order in Cr.M.P.No.587 of 2018 dated 27.09.2018 on the file of the Mahila Court, Pudukkottai and set aside the same and grant bail to the appellant by allowing this Criminal Appeal.

For Appellant : Mr.S.Poorna Chandran

For R1 and R2 : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

ORDER

Heard the learned counsel for the appellant, the learned Additional Public Prosecutor for the official respondents and also perused the petition and the statement of the victim girl.

2.When the matter is taken up for hearing today, though the learned counsel for the appellant tried to impress upon this Court that the incorporation of Sections 10 and 12 of POCSO Act does not made out, a reading of the statement given by the victim girl before the Judicial Magistrate under Section 161 Cr.P.C., clearly indicates that there is an offence, which attracts SC/ST Act as well as the POCSO Act. Since the victim girl is less than 18 years old, the trial Court has considered all the materials before it and dismissed

the bail petition.

3. The learned Additional Public Prosecutor submits that the investigation is not yet over and if the petitioner is released on bail at this juncture, he may tamper the witnesses in view of his dominance in his community as well as in his locality.

4. Considering the facts and circumstances of the case, this Court is not inclined to entertain this bail petition at this juncture and hence, this Criminal Appeal is dismissed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Additional District and Sessions Judge,
Pudukottai.
2. The Mahila Judge, Pudukottai.
3. The Superintendent of Police,
District Prison, Pudukottai.
4. The Deputy Superintendent of Police,
Pudukkottai Sub Division,
Pudukkottai District.
5. The Inspector of Police,
All Women Police Station,
Pudukkottai District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TA
TE/SV/SAR-2 : 12/11/2018 : 2P/7C

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