



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

Wednesday, the Sixth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.1901 of 2019

ASHRAFF ALI

... PETITIONER /SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
ALANGUDI, PUDUKKOTTAI DISTRICT.
(CRIME NO.7/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.KAMESWARAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Govt. Advocate (Crl. Side)

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

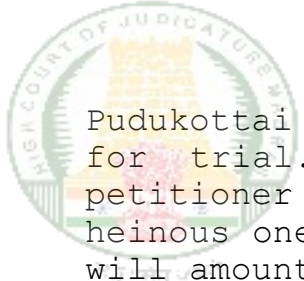
ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 10.10.2018 for the offences punishable under Sections 5 (i) (m) (n) 6 of POSCO Act, 2012 in Crime No.7 of 2018 on the file of the respondent police. He seeks bail.

2.The case of the prosecution is that the petitioner forced the victim girl to outrage of modesty and had committed the sexual assault with the victim girl. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the date of occurrence took place on 03.09.2018 and the complaint was given on 08.10.2018 and the case was registered only on 10.10.2018. In the FIR, the parents of the victim have stated that no such alleged occurrence had happened and the petitioner is in prison for the past 150 days and the present allegation against the petitioner is baseless. Accordingly, he prayed for bail. The learned counsel further contended that the petitioner is ready to abide by any of the conditions that are to be imposed by this Court.

4.The learned Government Advocate (Crl.Side) would submit that a charge sheet has also been filed before the Mahila Court,



Pudukottai District in Spl.C.C.No.28 of 2018 and the same is ready for trial. He vehemently opposed for granting bail to the petitioner that the offence committed by the petitioner herein is heinous one and if leniency is shown in favour of the petitioner, it will amount to encourage the culprit.

5. Considering the facts and circumstances of the case and considering the nature of the offence committed by the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
06/02/2019

/ 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, ALANGUDI,
PUDUKKOTTAI DISTRICT.
- 2.THE OFFICER INCHARGE,
DISTRICT JAIL, PUDUKKOTTAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1901 of 2019
Date :06/02/2019

AE/JC/SAR-II/13.02.2019/2P/4C